ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
TULOU – OUR PACIFIC VOICES: TATALA E PULONGA

Under	The Inquiries Act 2013
In the matter of	The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions
Royal Commission:	Judge Coral Shaw (Chair) Ali'imuamua Sandra Alofivae Mr Paul Gibson Dr Anaru Erueti Ms Julia Steenson
Counsel:	Mr Simon Mount QC, Ms Kerryn Beaton QC, Ms Tania Sharkey, Mr Semisi Pohiva, Ms Reina Va'ai, Ms Nicole Copeland, Ms Sonja Cooper, Ms Amanda Hill for the Royal Commission Ms Rachael Schmidt-McCleave, Ms Julia White and Ms Alana Ruakere for the Crown
Venue:	Fale o Samoa 141 Bader Drive Māngere AUCKLAND
Date:	23 July 2021

TRANSCRIPT OF PROCEEDINGS

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[10.00 am]

CHAIR: Good morning everybody, noa'ia. Can I invite the Reverend Aptinko to come forward from the Rotuman community for our karakia, lotu.

REVEREND APTINKO: [Introduction in Rotuman]. I just want to remind that I saw it in the public platform that Fale o Samoa is basically we coming home, which makes very much sense. I'm a Rotuman ethnic group but my nationality is Fijian. So on behalf of our Rotuman community, the leadership, we would like to say thank you for inviting us Rotumans to have a voice and be part of this very important, I call it the mission of compassion enhancement.

And it makes sense from a biblical lens that God is omniscient, he is all knowing. God don't need to reason with anyone who knows everything, he knows everything, he has the perfect understanding of the hope and the weak, needs and the hope of the broken-hearted. In the scripture the Book of Chronicles for the eyes of the Lord, move to and through, to and from throughout the earth that he may strongly support those whose heart is completely his.

From the eyes of those suffer from the abuse to the vision of the organisation to find the best and the long-term solutions with the genuine hope of the oppressor for the transformation, moves God's heart, the heart that over flows with compassion. Within Psalms 119, God heals the broken-hearted and binds all up their wounds, because God is full of compassion.

And with John in the last days, the message to all people, "Beloved, I pray that all may go well with you and that you may be in good health as it goes well with your soul." John's ministry is about compassion in his last days, last few days, John prayed for good health and well-being of us all. I'll pray in my language and as we say in the Pacific Islands the language from heaven. Let us pray. **[Prayer in Rotuman]**.

CHAIR: Thank you, Reverend, for giving us that prayer in the language from heaven. So we'll now start our hearing today. For the information, and I'm sure Ms Sharkey will explain more, our witness today is unfortunately in Australia. She wishes to be here but of course Covid has intervened. She will be giving her evidence on the screen. You will not see her face because she wishes to be anonymous.

Now I ask and repeat if you were not here yesterday, because she wishes to be anonymous we must respect her privacy and I would ask that nobody takes any photographs or videos of any part of the proceedings while she's giving evidence. Sorry, you will see her, she won't be seen on the livestream on the website, but you will see her, so

please don't take any photographs or anything that could intrude on her privacy which she is entitled to. So, thank you. I'm calling on Ms Sharkey now because she's going to lead her evidence magically across the Tasman sea.

MS TU

QUESTIONING BY MS SHARKEY: Good morning Ms TU, can you hear me?

A. I can hear you, can you hear me?

Q. Yes, I can hear you. Okay.

CHAIR: We'll take the affirmation when you're ready.

MS SHARKEY: You're ready Ms TU?

A. I am.

Q. She's ready.

CHAIR: I don't know if you can see the Commissioners, Ms TU, can you?

A. I can.

Q. Good. So welcome. Welcome from across the Tasman sea. I'm sorry you can't be with us today, but we're doing the best. You do look, from your background, as though you're on a planet somewhere else which is very magical. I'm just going to ask you to take the affirmation before you begin with your evidence, is that all right?

A. Yes.

Q. Okay, thank you. Ms TU, do you solemnly, sincerely and truly declare and affirm that the evidence that you will give to the Commission will be the truth, the whole truth and nothing but the truth?

A. I do.

Q. Thank you very much. I'll leave you with Ms Sharkey.

QUESTIONING BY MS SHARKEY: Good morning Ms TU. First, I acknowledge how difficult this will be for you as we've discussed many times before. And I also want to acknowledge your supporters who are here in this fale on your behalf to show their support and be the presence for you this morning as well. Just to clarify, the Commissioners have your statement before them and they've read it. And it will be made available on the website following your evidence today. Just to confirm what we had spoken about before, you will tell me to pause if you want me to pause briefly and if you need a break you'll tell me you need a break.

A. That's right.

Q. All right. So before we start, Ms TU, I understand there are some opening comments you'd like to make, so please feel free to begin.

A. Thank you. I am Samoan and I was adopted into a white family when I was a baby. I want to thank the survivor and contextual witnesses who gave evidence this week. Hearing your stories has made it easier for me to give my evidence. I still have doubts about whether giving my evidence here today is the right thing to do. I did not plan to give my evidence publicly. I wanted to give it privately and not share widely that I was talking to the Commission. This is because I am still living with a lot of emotional pain and trauma and the causes of this pain and suffering is complex. I am likely to cry today and I might make some jokes, both crying and humour are different ways I cope with what I'm going to talk about today.

I'm talking about adoption and the State's role in adoption, but to do so I have to talk about families and intimate relationships. I think because my story involves family, it is hard for me to talk about. I care about the people I will mention, even though I experienced neglect, physical, emotional and sexual abuse in my adoption placement. I want to take care of how I talk about them and talk about this history, which is why I have opted to be anonymous. It has taken me a long time to admit to myself that this was not a suitable care, the placement, even though I love this family and it was the family I was raised in, which makes my feelings about it even more complex.

Because I am adopted, I have many families, including Samoan family. My biological mum was Samoan. I was adopted when I was a baby. My mum was 22 at the time and had only been in New Zealand for a couple of years, if that. The State placed me with white parents and did not consider my needs or well-being as a Samoan child. The State cut me off from my culture, community and language. I believe this was an act of enforced assimilation. The State had no concern for whether my adoptive family had any cultural or racial literacy to raise a Samoan child. This has had long lasting impacts on me and I live with a sense of loss.

My Samoan mum and family tried their hardest to absorb me at 21 when I was able to make contact, but I was a messy and traumatised person distrusting of relationships which I tried to mask and then I struggled with the illiteracy around Samoan culture and language. I struggled, despite my deepest desire for connection with them, my family, and my culture.

While I have lived with the impacts of trauma, distrust of relationships and loss of culture, all of my life, I am Samoan. This is my heritage and I am proud to be Samoan.

But I also experience a lot of life where I do not feel like I quite fit in, in either the white or the Samoan world. It is sometimes a confusing and not comfortable space to be in, with lots of

roots everywhere but never quite anchored anywhere.

To end my statement, I wanted to also acknowledge that there are a lot of people who have had a similar experience to me, particularly struggling with intercultural and interracial adoptions. I am here for you today as well as for myself.

Q. Thank you Ms TU. So just as we begin the questioning and you answering some of the questions, we've got the stenographer and sign language interpreters here, so we just need to slow down a little bit. All right, you're ready to begin?

A. I am.

Q. So, we'll start at the beginning of your statement, Ms TU. So what year were you born?

A. 1975.

Q. And you're adopted out shortly after your birth?

A. Yes, a few weeks after.

Q. I'm going to ask, do you have your statement in front of you?

A. I do.

Q. I'm going to ask you to briefly describe the reason why you've come forward to the Inquiry to share your adoption experience. So, could you please read out paragraphs 4 to 7 of your statement and please feel free to expand on any points you might wish to.

A. You want me to read them and then expand?

Q. You can read them through and then expand if you'd wish.

A. Okay, so the purpose of my statement is to share my adoption experience with the Inquiry. I experienced all forms of abuse in my adoption placement, physical, sexual and emotional abuse as well as neglect. It was not an appropriate care placement.

There are many stories which I could draw on to describe the process of locating my biological families. Adoption stories often focus on the feeling of belongingness one gains from the experience of finding their biological parents. For me, however, the process of meeting both my biological father and mother were not a process which gave me any sense of belonging, more a feeling of utter flux and dislocation.

I do not believe that closed adoptions should occur. I believe each child born has a right to know their biological background, identity and cultural heritage. That is their right.

The decision to adopt me out to Palagi people meant I became disconnected from my Samoan heritage and cultural roots. There are no words to describe the trauma created and the impact this has had on me.

So essentially, I'm here today because, well, for a number of reasons, but the first and predominant reason was that the State ignored me as a Samoan child, my mother was Samoan. It didn't

think about what needs I had or my right to my culture when it put me into a white family. And I feel like that history was just erased, extinguished from that act and it's something that I've been struggling with since.

The other issue is there wasn't sufficient due diligence in relation to putting me in with that family. Like I said, I care about them and I love them, but I've come to realise from what I went through that it wasn't an adequate care placement. And my Samoan mother, you know, gave me up so that I would have two parents and a loving family and within 18 months my parents had divorced. So, I have a lot of concerns about the due diligence of the State with putting me into that family and no follow-up after the interim period.

And, you know, just the barriers that adoption erects, how difficult it was for me to find my biological mother. I had to wait until I was 20 before I got sufficient information. So I just -- it's a really difficult process and that's why I'm here today to talk about it, because of just all these cascading decisions and then barriers that has had a really profound effect on me.

Q. Okay, thank you Ms TU. And we'll walk through those different stages as we go through your statement, okay?

A. Yes.

Q. All right. Just coming back to one of the comments you said before about closed adoption, and for the benefit of those here in the fale or those watching on the livestream who might not know what closed adoption is, do you want to describe that?

A. Yeah, so I think there's probably a legal sense of it and how it feels, but the legal sense is that once my mother decided to -- my biological mother decided to give me up for adoption that extinguished her rights in relation to me, and I was treated as if I was a child of the family that I was put into. But obviously the reality is that nothing is ever that neat, life's more messy and I was connected to other people, but it's a fiction.

Q. Okay. So closed adoption being a form of adoption where the biological parents have no direct contact either with the adoptive parents or the child?

A. Yes, that's right.

Q. And where records are sealed?

A. Yes, records are sealed, yeah.

Q. And certain details remain confidential?

A. Yes, so there's -- my biological mother didn't know who the family was that I went to, didn't know where I was, didn't know my new name, didn't know anything, so -- and it's a wall of secrecy on both sides. As we'll talk about I did get some information early on, but I

don't think usually people are entitled to that information. My adopted parents had to ask for it.

Q. Okay. And we'll start to move through that. So we're looking at paragraphs 8 to 13 of your statement and you talk about being a mixed family culturally, this is your adopted family. So looking at paragraphs 8 to 10, could you please describe what you mean by that?

A. Yeah, I think we were mixed in the sense of I was the second child to be adopted into the family and my adopted brother is Rarotongan heritage. My parents were white, but my -- I had an aunty who was adopted, so on my adopted mother's side I had an aunty who was adopted into the family and she was Māori heritage. And so that's why I describe it as mixed, but my parents were white.

Q. And because they were white, you still felt disconnected with your culture?

A. Yeah, completely disconnected. I was raised speaking English, I was, yeah, I was absorbed into this family and didn't have any access to any Pacific Island cultures.

Q. Okay. And so looking at paragraph 11, your adoptive mother couldn't have children.

A. Yeah.

Q. So could you please share with us the comments she would make to you about that and how it made you feel, Ms TU?

A. Yeah, so she was -- she always said to me that she wanted to have children of her own and she couldn't have children of her own, and that used to upset me because I felt that I was her child, like she had me and she had my brother, and so, yeah, it just already had this feeling that I was an adoptee, you know, that I wasn't actually part of that family.

Q. All right, then in the next paragraph you speak about possible racial elements to your adoption. If you could please take us through that?

A. Yeah, so one of the stories I heard from my adopted mother's mother and my mother is that she always wanted black or brown babies. And that used to make me feel a little bit uncomfortable, but it was the 70s and when I think about it in a really gracious way that she probably thought that Pacific babies weren't wanted and she wanted to provide a home for us. But it did make me feel a little bit uncomfortable.

Q. And then in paragraph 13 you point out, and this is something you've said quite a number of times to me --

A. Yeah.

Q. -- it would have been obvious, it would have been obvious that you were adopted.

A. Yes, completely obvious that I was adopted. Because, you know, I was really fair as a child and I'm fair in winter but I actually go really brown when I get a little bit of sun, and

the same with my brother. I'm really tall and I had the Samoan physique as a child. I've provided some photos to the Commission showing that I looked about three years older than my age.

Q. And that went to you growing up and knowing that you were different from your family?

A. I knew I was completely different. I knew I was different because I knew I was adopted, I knew I was Samoan. And I just knew I didn't quite fit into that family, yeah, like in the sense of my size and my colour, I just knew I was -- I was part of that family but I was also different.

Q. Okay. And then we're just going to move on to the adoption records. That's paragraphs 14 to 18 and you say that for a big part of your childhood you knew you were Samoan, it was like breathing. Can you just expand on that please?

A. Yes, it's hard to say, you know, I kept on trying to think of when I was told I was adopted and when I was told I was Samoan, and I must have been told so young that I just grew up knowing, that was just who I was; adopted and Samoan. And yeah, so -- and I also got really good at -- because school friends would say, you know, "Is that your mum?" And I would say yes, and then I had to explain what a real mother was as opposed to a birth mother, so I had this kind of language around being adopted.

Q. All right, now we're going to bring up the first exhibit, and this is a letter dated 12 April 1977 given by the Department of Social Welfare to your adoptive parents, so they could tell you more about your biological parents. My question, Ms TU, is, is this all the information you had growing up?

A. Yeah, that's all the information I had. I think I'm really lucky I even had that, because in that bundle of papers that I provided to the Commission, it's clear that my adopted parents asked for that. And I may not have been entitled to that until I was 20. But that's all I had.

Q. Right, and so it was your understanding that this is what your adoptive parents had asked for so that they could share this with you growing up?

A. Yes, and it's in the -- in the bundle it says you've asked for information and we'll provide you something.

Q. Right. Okay. And then you talk in paragraphs 16 and 17 about a letter you were told would arrive on your 15th birthday. Can you please tell us what you were told about this letter and what happened on your 15th birthday?

A. Yeah, so I was -- it's again like breathing, I just was told very early on that I would receive a letter from my biological mother when I was 15 and that it was with a social worker. I had the name of the social worker, but I was also told that at the time in the 70s the social

worker was old. So I panicked even before my 15th birthday about how I was going to get that letter. But I'd think about, you know, my 15th birthday was really important for me and I would think about getting there, and then when I got to my 15th birthday no letter and no one- knew where to go or to ask for it.

Q. And so this letter you were going to receive on your 15th birthday was going to give you more information about your biological --

A. Yeah, it was from my biological mother, it was written from my biological mother. So she wrote me a letter which she later told me that was the case, that I was meant to get on my 15th birthday and I never received it.

Q. Okay. And now we're just going to bring up the next exhibit, and that's a letter dated 6 January 1997 from the Children, Young Persons and Their Families Service. So these letters are 20 years apart.

A. Yeah.

Q. You know these letters well, Ms TU?

A. I know these letters really well because it's exactly the same information that I received early on, and except there were some names. So in the second letter when I was 20 I was entitled to further information, and that further information was the name of my biological mother and the name of my father. But other than that, the information that they gave me was the same and, you know, as we've talked about before it was really thin information, there wasn't really much in it. But anyway, it was something, it was something.

Q. Right, so as we've had conversations about this before, you were hoping that when you received further information from the State that you'd get more than just a letter that looked strikingly similar to one 20 years prior?

A. Yeah, I mean I would have expected there would have been a thorough file, there might have been photos, that I would have got more information. Yeah, it was really -- it didn't help me at all in terms of how I would find her, yeah, what -- sorry, it's hard to even explain because, yeah, just trying to remember back, it's just a big moment. I really wanted to meet her and I wanted to know about her and I just had very thin information, it was -- it didn't give me anything.

Q. Okay. And so some of the information you would have hoped for as well would have perhaps been maybe medical background information as well.

A. Definitely more information on family medical history. I mean it's still hard for me today to talk about that when I go to doctors. You know, just the kind of memory of not knowing any of these things and being disconnected from it. And I just, yeah, I would have liked to

have known more about her. It's hard to kind of explain, but when I say it's thin, it was just on such a superficial level. Like I have no information of what else she was thinking at the time, you know, it was the 70s, what her migration status was, there was just not enough information here for me. And so I didn't even know whether I'd be looking in Samoa for her or looking in New Zealand, like I had no information that would help.

Q. So just picking up a couple of things there. You would go to the doctors and be asked about your family's medical history and you weren't able to answer any of that?

A. Couldn't answer any of that.

Q. And you were hoping for some information on the guidance that the State gave to her at the time, or what the process was so that you could be clear on the process of adoption?

A. Yes.

Q. Right, okay. And perhaps more information on family, relatives?

A. Definitely more information on family. You know, I mean it had things like her hobbies, but I would have liked to have known more detailed information about where she came from and, you know, in Samoa and just also, you know, I knew a little bit about the family, but it's just numbers, you know, two brothers, two sisters, I didn't have a full picture of who my family was.

Q. Right. And the importance of knowing the villages she was from in terms of Pacific peoples is the land is so important to us, is that right?

A. Yeah. Yeah, I mean I was desperate to know about that side as well, like I was desperate to know about being Samoan and knowing that she was from an island that I didn't know much about, like I just -- I wanted a fuller picture of my heritage.

Q. So we're just coming along to paragraphs 19. This is where we talk about your biological mother. Please, Ms TU, can you read paragraphs 19 to 21 of your statement.

A. Yeah, I always had a deep longing for my biological mother. I knew she was Western Samoan, but I suppose I was not quite clear what that meant, except that it was a Pacific Island. I would think about my biological mother every birthday. I remember when I was really young, I think I was 5 -- sorry, I just have to pause.

Q. That's fine, take your time, take your time.

A. I'll start that sentence again. I remember when I was really young, I think I was 5, I used to think about my biological mother late at night looking at the stars in the sky, wondering who she was and where she was. I used to sing to her. I just had a strong yearning to know her and to be reunited with her. I very rarely thought about who my biological father was.

Q. Right, okay. And then you find her at the age of 21, and we'll come to that a bit later on,

Ms TU?

A. Yeah.

Q. And the full story of how you came to be adopted was told to you. Can you just take us through paragraphs 23 to 27, either in your own words, Ms TU, or as those paragraphs state. Just share with us what information you were told.

A. Yeah, so my biological mother told me she grew up in Savai'i, Samoa and she migrated to New Zealand in the 1970s. She was 20 when she first went and she was picked by the family to go and work in New Zealand and to send back remittances. So she came over by herself, but she lived with two aunties, my grandmother's sisters, so my biological mother's mum's sisters. So, she lived with them and she started working at a factory and that's when she met my biological father and my biological father was a white person, Palagi. And they ended up having a relationship. And this is something actually my biological father has told me as well, but it was the 70s and my white grandparents were against the relationship. And they were racist towards Pacific Islanders, so they put a lot of pressure on him to break up with her and she told me that, well, actually he also said that he experienced a little bit of culture shock as well, because my biological mum is very family orientated and spent a lot of time doing duties and working with the family. And so he found that really confronting, and wanted to have, you know, the nuclear relationship disconnected from that kind of family interaction. And -they - she- ended up getting pregnant during that time they were together, but they separated before she knew.

Q. And you'd also said there that your mum was a recent migrant and she changed her name to an English name and was known by something else?

A. No, not my mum but --

Q. The aunty?

A. My aunty, yeah. So one of the aunties which is on my grandmother's side, she used an English name in New Zealand in the 70s and that's consistent with a lot of -- what the Commission's heard this week that people changed their name, they were either forced to change it or they changed it because of the difficulty that Palagis had with pronouncing Samoan.

Q. So then just moving along to the next part, Ms TU, and we're looking at your biological mother's pregnancy, her discovering she was pregnant and the challenges she was facing at the time. So could you just take us through paragraphs 28 to 31.

A. Yeah, so she said that she didn't realise she was pregnant and I didn't put it in here, but, you know she said a few periods went by, but she just didn't think that she could be pregnant

and she ended up getting pneumonia and was in hospital and she said that the two aunties were there with her and a doctor came in and informed her that she was pregnant. And then that didn't go down very well and one of the aunties walked out of the hospital room.

And the other thing that she said that, you know, when she found out she was pregnant there was a lot of pressure on her from, you know, her friends who encouraged her to get rid of me and she didn't want to do that. So she ended up carrying me, but I believe that she had to do that, she wasn't living with the aunties, I don't believe she was living with the aunties during that time, she had another friend who was pregnant, and they both carried, you know, mum carried me and then the other woman carried a baby, that other woman also gave her child up for adoption.

Q. Right, okay. And so then you say that your biological mother was practically alone?

A. Yeah, she was.

Q. The first one to come to New Zealand from her family after living in Samoa for the first 20 years of her life and she wouldn't have known what to do?

A. That's right.

Q. And so this comes back to the comments you were making before about the State's support for her and the decision around the adoption being closed, is that right?

A. Yes, yes, I think that she was put in a really difficult position. And, you know, on one side the obviously older people in her life, her aunties not supporting her, she was in New Zealand, you know, I don't know what her migration status was, she might have been there on a short-term permit, I think there just would have been a lot of pressure for her and she did mention, or there was mention in the adoption papers that she was really concerned about being able to provide financially for a child. So I think that she probably experienced, like it would have been a really difficult time for her.

Q. Okay. All right Ms TU?

A. **[Nods]**.

Q. We're just going to look at that decision to adopt and that's paragraphs 32 onwards to 44, if you could take us through the decision to adopt as it was told you to by your biological mother.

A. Yeah, so she told me that she spent a couple of weeks with me in the hospital and that she was really torn, she didn't really know what to do, and she called my biological father, so she rang him and she pretended to be one of the aunties and just informed him that I'd been born at Auckland Hospital, and she said that she did that with the hope that he would step up so that she could keep me. But he hung up on her. Yeah, and I think that she -- yeah,

she said that that was the last chance that she felt that she had to keep me, and then eventually she made the choice to give me up for adoption.

Q. Okay. And you and I have had discussions about this part of your statement and there's some things that we see here in terms of her providing a fake name?

A. Yeah.

Q. First one to come to New Zealand, racism back in the day, and her potentially being on a short-term visa and this was the year 1975 where we've already heard in this public hearing in terms of Pacific history being a very dark time for Pacific peoples in New Zealand. So the year you were born is in the thick of the Dawn Raids. So just if you could share your thoughts on how that era might have impacted on your biological mother's decision to adopt you out?

A. Yeah, I've thought about this more often recently because all that history of the Dawn Raids has started to come out and the Samoan family have talked to me about that period as well, and it makes no sense to me that she gave -- put a fake name on and left a letter for me and called my biological father. I can only explain that that she was probably afraid, or the inference, the strong inference that I have is that she was afraid of her migration status. And that's the other thing, you know, when we go back to the information that we have, there's a massive gap in the State's records about her decision making process and what was happening for her at the time. There's no record of that, I haven't been given any record that. And of course I didn't think to ask those questions when I had the chance, you know, she's passed on, and so for me it's just this silent space which I feel has to- be put in the context of the 70s and everything that was happening during that time.

Q. Okay, thank you, thank you Ms TU. Right, so we're just moving ahead. You outline the abuse at paragraphs 45 to 97. But just before I go there a couple of questions. You said before that your adoptive parents separated when you were only 18 months old?

A. Yes, that's right.

Q. And so that was just six months after the final adoption order was made?

A. Yes.

Q. And we'll come to it a little bit later, but it's your view that the State at that time should have still been checking in on you?

A. **[Nods]**.

Q. Can you expand your thoughts about that?

A. It's a big decision to make, you're putting someone -- you're putting a child, a baby into a family based on one or two visits, if that, at that time. So I just think like in terms of the

State's due diligence and duty to me, a duty of care to the baby, is to have an adequate period of time to see, you know, how the placement is going. And I do think that the, you know, the idea of just extinguishing rights and them just pretending that I'm now part of that family is what - is- the barrier to the State actually taking on the responsibility of making that decision. They make a decision, they've put you in there, and then they have a very short period of time to work out whether it's an adequate placement or not. And I've got no doubt that there's a lot of - decision- making- is probably based on ideas of what a respectable family looks like rather than actually ensuring that it's an adequate place for a child to be.

Q. And what a respectable family looked like at that time in the 70s?

A. Was a white family, was a white family.

Q. Thank you Ms TU. We are looking now at paragraph 45 to 97. You describe in some detail the abuse you experienced. But as we've talked about, some of which you don't wish to go into too much detail about here in this public hearing, and the Commissioners have that information before them. So if you could just share with us what you would like to about the abuse in your adoption placement. Just take your time, Ms TU, take your time.

A. Just trying to work out. I think for some reason my adopted mother developed an alcohol, like she was an alcoholic, and that happens quite early on. And we also grew up, me and my brother, so there was a relationship after my father, and that kind of started the spiral of extreme alcoholism in my mum, and in that family setting before I was 12 there was a lot of physical violence. So I saw a lot of, like my mother was, yeah, was beaten up in front of us and during that period, and I say up to 12 because when I was 12, I moved to Australia, but before that period there was just a lot of violence in the house and, you know, I look back now and I realise, you know, I was turning up to school without knickers on, or I was turning up to school wearing, you know, like knickers I'd worn before, you know, I was turning up to school without lunches, I was really traumatised and then during that period as well, I was sexually abused by an uncle for very long periods, and abuse that I disclosed, but was blamed, I was blamed for it. So that was that period.

And I think that relationship broke my mum and I did try and get away from it, so I ended up in Australia and I lived with my biological -- sorry, my adopted father who had left when I was 18, but he really tried hard to maintain a relationship with me and my brother, and, you know, I have a lot of respect for him for that. You know, I always felt like he was my dad and he always -- he never made us feel like we were adoptees. And so he spent a lot of time, and so I did end up over there with him.

And then my adopted mother and brother ended up following, she broke up from that bad relationship. And then things just got worse. So from 12 to 17, you know, her drinking got worse. So she would get really drunk about two to four times a week and it was messy drinking, she would scream at me to get up and to do things for her. So I didn't really get to sleep much. She had really abusive boyfriends who didn't like me, so -- and were really racial towards me. So I got called "black bitch" in the house by her boyfriends, I was threatened to be killed by them. There was a lot of physical abuse, and then also, you know, she brought men home from the pub who raped me. So, yeah, so when I say neglect, I feel that alcohol was -- she loved alcohol more than me, that's how it felt. And that she wasn't able to care for us properly.

Q. Right, and --

A. And put us in harm's way.

Q. And you talk in your statement about how the roles almost reverse and you're trying to think of ways to protect her?

A. Yeah, I definitely became her mum. Like in lots of ways - I put her to bed, I'd wake her up in the morning to get her up for work. I started working really young, you know, I started working before it was legal, like I was 14, I had -- like I worked on a Thursday, Friday, Saturday night and that was so I could buy my own uniforms. Like I just really took on an adulting, parenting role pretty early on.

Q. Okay. Thank you, thank you Ms TU. So we're going to move to the cultural background, because this is really the matters that in your statement where we get to the significant parts of how you feel the adoption has impacted you. So just starting with the cultural background, paragraphs 98 to 107. And you talk about trying to survive your childhood and not sharing cultural backgrounds with your brother, the racialised element to your identity, the guilt you carried in finding your Samoan family, and the emotional connection you still had to your adoptive family. And I'm just going to ask you to explain those further and expand on any points you would like to as we've discussed before, Ms TU.

A. Yeah, I think, even though my brother and I were raised by a white family we never saw ourselves that way, we didn't see ourselves as white. And I knew I was Samoan and my brother knew he was Rarotongan but we didn't really -- didn't know what that meant, and didn't really talk about it either. But I did, you know, I make a comment in here that, you know, I knew my adopted family was my family but not my people. And there was this one incident I remember, I was in Whangaparaoa and there were either Māori or Pacific Islanders out picking pipis, and so I got out and mimicked them, like I went out in my jeans

and I started doing the same thing. So I just -- I think I just had a yearning or just recognising that there was -- I was part of something else and I was here and they were there and I didn't really know how to interact with them.

And I think the sad thing is that my adopted mum really used to say that she wanted us to have access to language and culture, but she was just such a mess that she couldn't ever facilitate that with us. And then I think when I finally decided -- actually I should say that I also - at- a certain age I started kind of reading as well. So I think this is kind of similar actually to a lot of, well that I've read, to a lot of youth who come from backgrounds but aren't completely rooted, you look at other movements. So I was really interested in the civil rights movement in the US, for example, and then I also felt interested or understood, and it's hard to explain that, but I kind of understood indigeneity in Australia in a way that my parents didn't, like I just completely identified with indigenous people in Australia and what had happened to them, recognising that I probably -- yeah, I mean distancing myself from whiteness, I guess, as well. It's hard to explain that.

Q. And so then you talk about the guilt you feel in trying to find your Samoan family, that's at paragraph 101?

A. Yes, it was guilt -- I was told to feel guilty. There was no appreciation, I think, in the family. I mean look, I say on one hand, you know, my adopted mother recognised that we came from somewhere else and we had a cultural heritage, but my -- her mum who was the matriarch, she was a matriarch in the family, and she did this to my aunty as well, basically just made us feel really guilty about wanting to, or being curious about finding our heritage. She said that we were being disloyal and she would say things like "Where were they, you know, where were they, we raised you, they weren't there." And it just created like a really big conflict, a conflict that I already felt anyway, but it just hardened it.

And it just made me feel guilty about doing something that I'd really yearned for, like I knew it was what I wanted to do, but I had all of these kind of voices telling me that this is not what you should be doing, you should be focusing on us, they weren't there for you, and again it was a complete disregard for the fact that they couldn't give me a part of my identity. They couldn't give that to me. The white family couldn't give it to me.

Q. Yes, and then at paragraph 104, you talk about what you're sharing with us now being difficult to talk about because you have an emotional connection to your adoptive family, but you grew up being angry and annoyed that she wanted to adopt kids, yet wasn't the greatest at caring for you. Do you want to expand on that further?

A. Yeah, I just -- I just knew, for somehow I knew I was adopted and my adopted mother

would get really drunk, and I would be so angry at her because I didn't quite understand why would you want kids so much and not provide them with the care, like -- and I understood that as a kid, I would get so angry at her for doing that. But of course it was built with all this emotion in it as well, you know, and so I would feel rage and anger and then I would try to talk to her about it the next day and then she would just scream at me and tell me off for trying to -- ever trying to address these issues. But I just knew, I knew it was wrong.

Q. Right.

A. And --

Q. And she -- sorry, Ms TU, carry on.

A. I was going to say, I should say that, you know, that anger's one thing, it's really only since she passed away in the last five years that I've really allowed myself to say it wasn't -- this wasn't a proper place for me to be.

Q. Right, okay. Because she would make comments to you when there was that anger and the conflict that you should go back to your real mother?

A. Yeah, so she would -- I'd call it her drunken madness, like I wrote poems about it when she was drunk, but she would get drunk and she would tell me that she didn't want me, and that I should go back to my real mother, yeah.

Q. And you're about, in this time here, you're about 14 years old and you're thinking about that letter that you're going to get when you're 15 years old?

A. Yeah.

Q. And you don't have any information on how to go back to your real family. So I just wanted to ask if you could describe those emotions, those feelings as you've described to me about feeling completely helpless?

A. Yeah, I just -- it's really -- it's hard to explain, but I felt a combination of rage and being stuck, so being frozen. And then having this yearning and disappointment, this constant disappointment. So, you know, when I was 15 and I didn't get that letter, yeah, I was so disappointed, but how could I talk about that and who could I talk to about that? You know, I couldn't talk to my adopted family about it because they wouldn't have understood, so I just, you know, like, yeah, just the inability to talk to anyone about this stuff.

Q. Thank you Ms TU. All right, so we're moving along to paragraphs 112 and this is later life and impact of the abuse. And this is where we see you start to progress to where you are now with your career. Can you just read paragraphs 112 to 116 first.

A. Yeah, so I started to smoke pot when I was 14 years old and nearly every day from 17 to 19

when I managed to stop. I also started to smoke cigarettes at 14 and I started to binge eat again at 12 when I moved back with my adoptive mother. That's something that I didn't mention before, but one of the coping mechanisms, which is really destructive unfortunately, is that I developed a habit of binge eating really young, probably about 7, just to deal with everything that was going on and that started up again. So I had a period of time with my -- very short period of time, probably the most stable in my childhood, with my biological father and I lost a lot of weight very quickly because I was comforted but then I started bingeing again.

I was always interested in justice, even from a young age. I just knew what was right and wrong and that was important to me. I was inspired by Martin Luther King and I started to read about indigenous struggles.

I wanted to be a lawyer, but I didn't know if I would be good enough or even how to become one. I just decided at 14 that I was going to be one, but my grades were not very good. And I should say that I literally just decided I was standing in a tuck shop line and I was feeling angry about something and then I was like right, I'm going to be a lawyer, and I'm going to get out of here and I'm not going to reproduce my adoptive mother's life. So I just had this epiphany that this is what I wanted to do.

No -one in my family took me seriously when I said I wanted to be a lawyer. I did not quite believe it myself but I just held on to this dream. The guidance counsellor told me to choose something else and that I would never get the grades to get into law school. I should also say that, you know, like my brother dropped out at 15 from school and no -one in my family had been educated, so I'm not really sure where I got the idea from, but it was something I wanted.

And after I decided I wanted to be a lawyer, even though there was a lot going on in my life, I first started with lying on the ground reading stuff the night before. So I'd read -- I just would start reading the textbook the night before. And I didn't -- I hadn't been told or -- to do homework before, so I wasn't -- didn't know how to do it, like I didn't actually know how to study. And so I had this test coming up and I taught myself how to sit at a desk for an hour and just to read through and then practice, and that was the first time I'd ever done that before. And I did that for a week and I almost got full marks for the test.

So I then worked out what I needed to get by, and I still struggled because I felt like I was dreaming, like I felt like it was something really beyond me, but I desperately wanted to do it and I wasn't sure I'd ever get there. And I also had a pot habit as well.

Q. Was that a pot habit?

A. Marijuana.

Q. Right.

A. Yeah, which I knew wasn't good for me, but anyway, I ended up achieving in the top 15% of the State by the time I finished high school. So I was failing most of the time and was called a loser by the Vice Principal and then I -- and then something changed and I just became -- I just tried a little bit more, because I wanted to get out.

Q. Okay. And then, Ms TU, we're carrying on with this resilience story. We're going to your time at university. Can you please speak to paragraphs 117, 122. You don't have to read, you can just speak and expand where you'd like.

A. Yeah, so when I -- it's really -- it's so hard to explain, because now I am a lawyer, right, it's really hard to explain at that point of wanting something and just not knowing if you're ever going to get there and whether I was -- it was a pipe dream or not. And so even though I did well at school, because I wasn't -- because I'd been so traumatised and I experienced like a lot of nastiness at my school, which I don't really go into, it was like walking like up a massive mountain and I just never thought that I would get there. So I didn't even bother applying to go to law school first and I ended up doing -- I started with an arts degree in Queensland and I only did one year of that degree and at this point as well, I started really experiencing a lot of -- a bit of trauma, a bit of PTSD, so I drank a lot that first year as well, when I was at uni and I smoked a lot. But somehow I managed to get good enough grades to get into law school, but I did actually drop out after the first year and didn't think I would ever go back to uni. And then had another kind of experience working in Kmart and just was like do I want this to be what I do for the rest of my life, or are you going to try and do something else.

So I ended up applying for law school and I got in. And then I went to law school and at that time I managed, you know, I think -- I told you I was going to my drug dealer once a day, I was smoking a lot of pot and I was drinking and I haven't really talked about it, but I did do other drugs as well, and I just stopped everything. And I did feel like I was going mad, like I think now I look back I realise the drug use and the alcohol and the marijuana was masking really extreme PTSD that I'd started to get and my brother at that time was showing signs of severe mental illness. So I actually thought I was going mad.

And so I went and got some -- I started seeing a psychiatrist at that time, but I did stop, I stopped everything so that I could focus to go to law school, which is what I did. And then I think I was really lucky because one, I went to an amazing law school, and two,

I picked up a couple of mentors. So there was an anthropologist who literally just pulled me up, like pulled me up and gave me so much support. And I didn't even -- like, you know, because of the way my education unfolded, I didn't know how to write, so he would sit with me and teach me how to write.

And then I met another person who ended up being a mentor and a benefactor, so she taught me property and a few other subjects, but she also then ended up paying for my masters degree and also supported me with my PhD. So I have been really lucky along the way as well, because people kind of recognised something in me.

Q. So just picking up on that, has there been some significant people who saw something in you, supported you and helped kind of --

A. Lift me up.

Q. Yeah, okay, all right. And then we come to your legal career. You were going to speak a little bit about this, if you could just speak to the information that you'd like to share with us today, paragraphs 123 to 131 please.

A. Yeah, so I mean I didn't -- I still wasn't very confident, I still didn't realise I had a brain even though I was at law school, and I was really -- and my marks were all over the place because I was a mess, but when I did well, I got the best in the class, and when I didn't do well, I didn't do well or I got things in late, usually it was because I was getting things in late. But I did manage to convince a -- I went to an interview with a judge who I think was taken by me, I tried to censor myself and I couldn't, I just was myself and I'm glad that that happened because she offered me a position, but because my marks were all over the place I think she was really cautious, so she just gave me a month contract. And she gave me a really interesting topic on the common law rights of the child and she went away for a week, and so I got up at 4 am every morning and worked really hard and I had like a 10,000 word research paper for her when she got back.

And when she read it she ripped up my temporary contract and she gave me a permanent contract and then a year and a half afterwards asked me to be her associate. And so that obviously just then started opening up a lot of doors for me. And I ended up working at a top tier law firm in Australia for a few years and then ended up becoming a barrister for six years and during that time, I just used my legal skills GRO-A

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Q. And you talk about how this work for you is soul work?

A. Soul work, yeah. It affirms my identity as well, because I learned a lot, I've learned a lot. Like I haven't learned -- I don't think I have good life skills to be honest, but I feel I have learned a lot through this history, through this time. And so what I have learned I think I'm really good at in terms of lawyering for communities and ensuring that communities' voices are heard, and not smothered, yeah, so, yes.

Q. And that chosen path, where you are in your career is also helping you strengthen your Pacific identity?

A. Definitely.

Q. All right. Thank you, Ms TU, because I know you don't feel comfortable talking about yourself like that, so those achievements are an integral part of your story.

A. Thank you.

Q. So we're just going to now turn to the -- to some of the impacts and we're starting with your cultural identity. And if we could look at paragraphs 132 to 135 of your statement and we've looked at this before and please feel free to take your time.

A. Yeah, I mean I think I mentioned in the beginning in my opening statement that, you know, I often feel like I don't quite fit in, and I really suffer from a feeling of being disconnected or not having sufficient connection or depth. And, you know, one of the things which I'm really happy for them, but my biological mother has four other children who are raised with her and, you know, I wonder to the extent that they understand my experience and I think recently I was like oh they don't understand it because they're so connected, they're just so connected that that's natural for them and it made me feel really happy for them, but for me it's grief, not their connection, but my lack of connection.

Q. Okay, and then looking at paragraph 133.

A. Yeah, so I have a major barrier around learning Samoan language and it's because when I speak it I feel like I speak like a white person and it's embarrassing. But I love hearing -- I love being around it, I love hearing the language, I think it, from what I've read, it communicates better than English, like I just think it's extraordinary, but I have -- I feel a huge loss, like I feel like, you know, metaphorically someone's ripped my tongue out.

Q. Okay. Thank you Ms TU. And you talk about freezing up, getting overwhelmed and that those feelings can last months or years and it restricts you from being able to reach out to

your biological family?

A. Yeah. Sorry, I just need to pause for a sec.

Q. That's absolutely fine, Ms TU, take your time.

CHAIR: Would you like to take a break at this point? We're coming close to the normal time for a break, would you like if we took 15 minutes now?

A. Yeah no, that would be good thank you.

Q. You can gather yourself, have a drink and we'll come back when you're feeling a bit more composed. Thank you.

QUESTIONING BY MS SHARKEY CONTINUED: You're all right?

A. Thank you.

Q. See you soon.

Adjournment from 11.21 am to 11.46 am

CHAIR: Welcome back. Do we have Ms TU here?

MS SHARKEY: There she is.

CHAIR: Hello.

A. I'm here.

Q. Welcome back.

A. Thank you.

Q. I'll just leave you with Ms Sharkey.

QUESTIONING BY MS SHARKEY CONTINUED: Okay Ms TU, we were just at paragraph 133.

A. Yeah. So I spoke a little bit about feeling, you know, how -- I actually feel ashamed that I don't speak Samoan. And particularly, you know, I've travelled a lot and then I meet Samoans in weird places around the world, and they might want to start speaking Samoan to me and I get really embarrassed and then I don't want to have to go through the entire story of why I don't speak Samoan. So it feels like shame to me. And it shouldn't be my shame, but it is.

Q. Thank you Ms TU.

A. Yeah, sorry.

Q. That's all right. So in paragraphs 136 and 137 you talk about what the State did do in terms of locking you out of meeting your Samoan family, and what the State didn't do, which was to find another Samoan family or requiring cultural education as part of your adoption. Can you expand further on those two paragraphs please?

A. Yeah, so 136, I mean I guess that's my vision of what an open adoption would have been,

so I think that given the context and circumstances that we have talked about already, that my biological mother should have been given the option for an open adoption. And at least the way that I understand that is that she would have had some visiting rights to me or some ability to see me. Even if she felt that she couldn't take me on at that time, another family could have, but she could have been part of my life. And then of course that would have meant that I wouldn't have lost the cultural connection at all. I would have had it through her and through the family.

And then the other option was that, you know, the State could have thought about putting me in with another Samoan family, or provided me, or required that I get some kind of language lessons or connection to my community and my culture throughout my childhood.

Q. Thank you. Right, so --

A. I just --

Q. Sorry, carry on Ms TU.

A. I just realised we stopped at 134 and 135 and I didn't get to explain those paragraphs.

Q. Yeah, sure.

A. If I can go back to that.

Q. Definitely, definitely.

A. So it's the same with not being able to -- the shame I feel about not being able to speak the language, that I always feel like there's something missing, like or that I'm -- I'm a little bit empty and I think that's why I binge or I use food to try and kind of fill me up. And I know that that is very much related to the trauma I suffered, but I think it's also fundamentally a part of like how I feel in terms of not having the connection to culture.

And then the other thing, I was listening to a survivor witness the other day who kept on using fight and flight and I think I definitely have that, but I have fight, flight and freeze and I think because I was just so overwhelmed, often as a child and then, you know, adoption's overwhelming in itself, but to have everything else on top of that, I often just freeze. And what that means in practice is that as much as I desperately want to reach out to people, I can't, and so I'll think about it, every day I'll go I should contact so and so. And I have this deep, strong desire and I don't do it, and sometimes it will be years before I end up writing to people and connecting. And I think part of that is also distrusting relationships. Again that comes from being adopted, you know, your fear of rejection, but when you're neglected and you're a child of an alcoholic it's really hard to have intimate relationships and to trust people. And so all of that combines to making it extremely hard

for me to reconnect to my cultural heritage.

Q. Thank you Ms TU. So we're just looking now at paragraphs 138 to 142 and you're talking about finding your biological mother and you say 20 years is far too long to wait to find out who you are and where you've come from. So in those paragraphs can you speak to the challenges you've identified there?

A. Yeah, I mean it is way too long. I'm a young adult and I've, you know, like my story is that I wanted to know, and I know a lot of adopted children are the same, particularly that they come from different cultural backgrounds. I wanted to know her really early on and I wasn't able to, like I was completely locked out, I did not know who she was. And I do remember, it's funny now that I, you know, I think it's because it's 25 years on from this time, I was aware of every milestone in my adoption, so 15 I'd get my letter, at 20 I would be able to receive information about my biological mother. And so I could do that at 20, but then there's all these logistics that the State takes no account of which is having to find her, you know, taking time, taking time out of your life, there's all of these kind of barriers. And one is the lack of information that the State erects and then all of the logistical barriers and the practical barriers afterwards of trying to actually locate and find your family.

Q. Right. So can you describe how you got your biological father's details, how creative you guys had to get?

A. Yeah. So the 1997 letter is all I got. And then I got a birth certificate as well. So we saw the name of my father on that letter and at this point we'd worked out that it was likely, although I wasn't sure that the name of my mother was a fake name, although I haven't put it in here, I should say that I actually tried to call Samoa with anyone with that name and then I kind of decided not to, because I was like what if they don't -- my family doesn't know about me and I'm all of a sudden inquiring about this person. So I did that and, you know, I actually went to a number of Mormon churches as well to try and to find her.

But ultimately we recognised because we had the name of my biological father, that he would probably be the best way that we could find him. But the adoption agency wouldn't give us anymore and I'm not sure -- I think they did have his last name, they wouldn't give me it for some reason. They said that they had to call him and to contact him first. And I really didn't actually ever hear from them again. And I was just really lucky that I had another aunty who gave up a child for adoption and she had found her child when her child was 12 and she did a lot of sleuthing to do so. So she rang the adoption agency and they obviously did want to help us, but they couldn't give us information.

So the way that she did it was to say how far into the phone book do I have to go

to get to his last name. And then she'd say A, they'd say no, B, no, C, yes, and then she went through each of the names with a P and then the last name and then she found him, she found him, yeah. So I was away at the time and I came back and she -- I actually knew that she found him before she told me. I just had the sense she was about to tell me and then I burst out crying because I knew that he would be able to give us my mum's name.

Q. Right. And if you didn't have someone who just happened to give you those hints in the phone book?

A. I wouldn't have been able to find her. I'd already been in New Zealand for like two months by that stage, and I really had started to give up hope that I would find her and that I'd have to go back without being able to do it and then wait another year, because I'd been committed to uni at this stage, so I just took the time that I had which was the Christmas holidays to go and find her, and that's why I waited. I would have gone at 20 but I had to save, like I had to work nights to save to get to New Zealand and then to support myself being there to be able to find her. So it was a long planned process.

Q. Right, okay. And then we come to you meeting your aiga, your biological mother and family?

A. Yeah.

Q. And so could you take us through paragraphs 143 to 147.

A. Yes.

Q. Just take your time.

A. I was at my biological brother's house and then I got a call from the aunty that I just talked about who was helping me find my family and she said that "I just spoke to your mum" and then I was like "Which one?" And she said "No, your biological mum", and then I just burst out crying and then of course I was -- the first thing was like "Does she want to know me?" And she said "Yes, she's waiting for you to call her." And so I think I waited 30 minutes before I called, but then also tried to call her and the line was busy, so I was assuming actually she was calling her family during that time. And then eventually I did get her and she caught me off guard because one of the first things she asked was do I forgive her. Yeah, and then I went over and I met her that night and then, yeah, we started to get to know each other.

Q. Okay. And in paragraph 145 you talk about, you say "While I was there my Samoan family performed an ifoga for me."

A. They apologised, yes. I didn't -- I was just going to say, so one of my uncles had a house with a large meeting house attached to the house and so everyone came into that space, and

I didn't even know, I had no idea what was happening, but everyone was there and then in a mixture of Samoan and in English I recognised that they were apologising to me and also I think they were apologising to my biological mum as well. I didn't understand a lot of it. At the time, now I kind of recognise the significance of it and I think if I'd known the significance of it I would have realised that this was actually a very significant gesture on behalf of the family and I would have -- I think I would have felt more comfortable with it. But, yeah, it was -- yeah, it was confusing, but also amazing.

Q. And then you talk about the Samoan aunties?

A. Yeah. So they -- so the aunties that didn't support my mum, I went out -- this was actually on a different day, so I went and I was at my mum's place, and I went out -- I didn't -- again, I didn't know this was about to happen, but they started walking down the driveway and started -- and were crying and apologised to me. But my mum had given me the name of one of the aunties and actually the Palagi name that she took on. So they were calling me that as they were apologising to me. And I remember -- I felt like a jigsaw puzzle that just had -- that just had collapsed because I think I realised the significance of being already part of a set of relationships which makes that State's decision even more critical, particularly the cultural aspect of it, like I was already something to them, I existed before them and it just was very hard for my brain to compute at the time, but also really emotional.

Q. Right, and is that what you're talking about at the end of paragraph 147?

A. Yeah, it is.

Q. Okay. So now we're moving to connecting with your aiga and culture. And if you could speak to paragraphs 148 onwards.

A. Yeah. I mean, this goes back to the leaving it so long before you can make reconnections with people, because I felt really overwhelmed with how is it that I can represent and talk to her about 20 years of experience. And also I was deeply concerned about telling her about what I experienced in my adopted family, because I just - I- felt that she'd never forgive herself. And even though I don't blame her at all, it would have been a really heavy burden for her to bear if I had been honest to her about what had happened to me. I did tell her one thing which was one of the rapes, I talked to her about it, but that was just like a drop in the ocean of what I had experienced. And she had difficulty with that, so I shut down and I really -- I do regret not talking to her about it, because, you know, through this process with the Commission, and through suddenly having to kind of tell people, I realised, you know, I talked to you about like that communication is connection, and that if I had spoken

to her and allowed myself to be vulnerable, I think that I would have felt more connected to her. And it's not that I didn't, but it would have been -- I wouldn't have been holding something secret and she would have known and we would have been - we- would have had more intimacy in that respect.

Q. Right, then you also talk about the feelings of disloyalty to your adoptive family?

A. Of yes of course, disloyal now. So I've been struggling with this, it's what I've talked about, because, you know, I think it's like that concern and care that I have because I'm speaking about relationships and things that people have done, you know, so talking about that I would have felt like I was airing dirty laundry and, you know, being disloyal to the family. And then again, as I said to you, you know, unfortunately that family couldn't talk about what had happened, and as much as I tried to, they couldn't address all of that harm. And so I felt like that I was being completely disloyal to them and they were telling me and I was afraid. Sorry, it's just an emotion of actually feeling split, it's feeling completely split, and recognising that I made decisions that weren't about me, it was about lots of other people, and probably being -- speaking the truth and saying this is what I experienced would have been better for me.

Q. Right. Okay. And so then you travel to New Zealand every Christmas holidays at the end of uni to spend the holiday period with your biological family and then you travel to Samoa when you're 22?

A. Yeah, sorry, can we just go back a second, because I realised one thing that I didn't mention even though when I was talking about the split, was I felt like I was in a culture war. So I had like a white family saying "You're ours" and then I had a Samoan family saying "You're ours" and that was really difficult for me. And what I think would have been better is that if the white family had been more secure and said "That's part of who you are, go, you know, we support you and we love you." And that would have been what I needed and so that's when I talk about like cultural literacy in a family, that's what I'm talking about as well, that's what I mean, when they recognise the importance of something that they can't give you and that's not them, instead of trying to keep you from it and to say that's not who you are and then me having like identity crises left, right and centre because of this being tugged and pulled.

Q. And we've spoken about that cultural literacy before, Ms TU. Do you want to just explain what you mean by cultural literacy?

A. Well, I mean to the extent that -- I mean, again, like having -- being Samoan family, they would have understood language. I just would have been raised in that way anyway. But

with the white family, I think that the reason why -- because the State had no concern for me as a cultural person, they didn't look at whether this family was able to give me the culture knowledge or at least facilitate that. And I do think that, you know, like there's -- I'm -- I question the extent to which families that don't understand cultural difference are really able to provide a safe place for a child to search out and to find that culture, because they don't understand it. And then so it becomes -- look it's really hard to explain, but it also -- it kind of is assimilationist in a sense because they just don't realise how important culture is and just learning different protocols and those kind of things and they don't have that.

But the racial literacy, which is a little bit different is, you know, I got called names, I got called "black bitch", I got, you know, there were a lot of -- I went to school in Queensland in the 80s and 90s and maybe in the New Zealand context people don't understand that, but that's the Joh Bjelke-Petersen years, so Queensland was a very hostile place to anyone who wasn't white. And so in terms of getting called those kind of names, not having racial literacy, like not understanding the impact that might have on me because they're not getting called those names. They're white, they're privileged in that respect. And so they can't -- how can they help a kid with that, how can they understand what impact that has on me to be like marginalised and an outsider when that's not what they're experiencing, that's what I mean by racial literacy.

Q. Thank you Ms TU. I think you've explained that very well. So just your first trip to Samoa?

A. Yes. So I was really hoping that I would go with my biological mum and she couldn't afford to go, and I would have loved to have paid for her but I scrapped and saved and I was adamant that I was going. And then the night before I went she called her aunty and said that I was coming, which I thought was really amazing that, you know, the night before she could pick up the phone saying my daughter's on her way. And so, yeah, I had -- I was there for a month and it was a really amazing experience for me. But even meeting my family in New Zealand didn't prepare me for village life, because it was very full, I never had any private space, but it was exhilarating as well, but I was really nervous and of course I felt embarrassed because I misunderstood so much. And they were grappling with me and I was grappling with them, but they just -- it was amazing they could just absorb me, here's so and so's daughter, you're here because you're so and so's daughter and you're part of who we are. So that was amazing as well.

Q. We're just going to bring up -- you say in your statement every Tuesday night was family

night and you wrote a poem for them and you'd like to read out that poem. We'll just bring it up now.

A. I did. I'll give some context for that poem, because I really was afraid of family night and I was afraid of it because people would dance, they would siva and I didn't know how to siva. And people were just really comfortable with preparing and so I was sick for a couple of family nights, and then I realised that I wasn't going to get away with that much longer, so I ended up writing a poem instead so I performed a poem for them on family night.

Q. Thank you Ms TU.

A. Do you want me to read it?

Q. Yes please.

A. The Sounds of Samoa. When the sun wakes the village wakes. A rooster crow's, the pua'a outside my window snorts and sniffs around for a lucky scrap. Children playing with laughter, with screams, with tears drift through the air. Adult voices rise and fall. A dog barks then another and another. A pair of feet crunch on the stones when passing my fale and I hear a "Hi Ms TU", or "Malo Ms TU" while I'm still in bed. A child hides at my sleeping feet and giggles then runs away speaking a language I am yet to learn. Scents from the umu find my nose, the sun beams on to my face or some rain sneaks through my window forcing my eyes open. I close my eyes a second more, grasping at soundless sleep, then I open my eyes again to the call of Samoa.

Q. Thank you Ms TU. I think you've taken a few of us back to the Islands there. Okay, so then you go and spend some time living with your biological family?

A. Yeah.

Q. Just looking at paragraph 154. If you can speak to that?

A. Yeah, so I was looking at one of the letters that my mum wrote to me and she wanted a fast relationship and she said that, she used those terms. And I had a deep yearning for that, I looked for them and found them for a reason because I wanted that connection. And so I found an opportunity, because I was still at uni and I suspended my studies but I went to a university in GRO-A as a way of being able to go to Auckland and spend some time with my family, which I did for six months. And I think it was really -- at that point I was -- I struggled because I still hadn't been honest about what had happened to me and I was messy, you know, I was in my early 20s, had severe anxiety and anxiousness, PTSD which I only realised what PTSD was a few years ago and there was like -- it was a great revelation to me, it made me feel normal because it was like of course that's what I had. But that's what I was suffering at that time. And also not understanding the cultural

aspects.

And I think, you know, within the family, like I would hear GRO-B saying all the time. I didn't raise her, I can't tell her what to do, but actually I just desperately needed someone to tell me what to do, because that just would have facilitated my understanding of the culture much more. And then I also write about that I formed a relationship with my Samoan sibling's dad and he was studying at the time as well. And we just -- we really connected and we could talk and he -- I would talk to him about what was happening and he would be able to translate to me, like because he could take a step back and tell me what I was experiencing and, you know, the way to act and those kind of things. So he was really amazing and just -- and has been and was throughout my life in really taking the time to explain things to me, and to understand. And so I was really lucky that he was there at that time, because I think he really helped with me keeping things together.

Q. Right, okay. So then, Ms TU, we come to you returning to Australia and you have a falling-out with a sibling, lose contact with your biological mother. If you just want to talk about that and what happens next. And I know that might be a bit difficult, so please, take your time.

A. Yeah, I think I -- it was -- again, this is why I say the kind of integration or open adoption's a better way because, you know, turning up to live with your family at 23 is a difficult thing, and so when I came back I felt like I just needed a little bit of time and space to work through all my emotions. And I was, you know, I have that conflict, I told you the conflict between the different families and being pulled. And I unfortunately did have a falling-out with my sister and I ended up in a relationship, which makes sense to me because I just go of course I come from this background and of course I'm going to have like intimate relationships with people which reflect, can be violent, and it was violent.

So I mean the other difficulty is that I, you know, I'm queer -- it's not a difficulty, but I am queer. So I entered a relationship with a white woman and she really reflected a lot of the attitudes of my family and didn't understand at all like any obligation. And I say obligation not in a tough, like in the way that white people think about obligations, but obligations that I had to host my sister and to be with my sister. And she didn't understand that and actually was really punitive about it and I just didn't have the strength to deal with it, so I just completely shut down.

And so the kind of -- all of the disconnection that I felt and my fears around relationship, like I got a letter from my biological mum and it clearly said "I love you, I'm there for you if you ever need me", and I read it as she rejected me, like I -- you know,

I read it afterwards and was like how could I read that as a rejection? But I just -- I did, I didn't read what she was saying, I was, you know, believing that she was rejecting me. Sorry, just pause for a second.

Q. That's fine Ms TU, take your time.

A. And so I, yeah, I just went through this kind of raging battle within myself about connect, you know, trying to find, like speak to her and I was in New Zealand, I was about to go overseas for the first time and I had an opportunity to see her and I rang up, the number had changed and I thought that -- this is like, you know, the kind of rejection paranoia. I made a phone call and it was no longer their phone but I thought that they didn't want to speak to me. So, yeah, it was really strange and I had a chance to go to see her and I didn't -- and then when I was travelling I just -- it was like there was a voice in my head going you have to contact her, you have to contact her, and that's when I said I freeze, so I knew I needed to contact her. And, you know, when I did, so it was a year and a half later, maybe two years later, she'd died, and I missed her by a month.

And because I had moved I hadn't had any -- I didn't leave any contact details for her to find me. Yeah, and so, you know, you don't kind of expect that to happen, but like, yeah, between 20 when I could have seen her and when she died, it's a really small amount of time and, yeah, I feel angry, I'm angry at myself, I feel really ashamed that I missed her, but also that I just didn't have enough time, like as I said before, like I didn't have enough time to be messy, you know, to kind of like allow myself to kind of give myself time and space to form relationships. I paid a big price for that.

Q. Thank you Ms TU. So I'm just looking at paragraph 164 and this is what you're saying; "I needed time but I just didn't have enough time. If I had met her earlier at 8, 10, 12 or 15, it would have made a huge difference. Meeting her at 21 years old was a huge barrier." And that is where you come with the kind of strong recommendation that you be able to meet biological family earlier.

A. Yeah. Yeah, because it's -- you know, particularly when you're dealing with different cultural settings, as a kid you're easier -- it's easier to assimilate, it's easier to be absorbed within a family, easier to pick up language, easier for the parent to tell you what to do. You know, like it's just easier all way around and you've got more time and more time to trust the relationships as well. It's hard to do it at 21 because you've already lived a lot of life and they haven't been in the picture. And so yeah, I do, that's my really strong recommendation, that adoptions have to be -- they have to be open, you have to be able to access when you're ready to your biological family, if that's what they want, but it should

be open.

Q. Okay. And we're just looking at paragraphs 165 onwards, if there's anything you would like to speak to there before we get to our next topic?

A. Sorry, 165 to what sorry?

Q. 165 onwards before we get to paragraph 175, we're just talking about your fa'asamoa. So any other matters you want to raise in those paragraphs before we move on to that part?

A. Yeah, I think, you know, it's interesting, I was listening to another survivor who was saying that they don't blame themselves for what happened to them. And I wish -- I don't think I'm there yet. And so I do -- like I kind of try and fix things in my brain, in my head all the time of, you know, imagining meeting my biological mother earlier. I fantasise about it, you know, I fantasise, and then it gets earlier and earlier and then sometimes I exclude the other family altogether. But I feel like I'm constantly trying to fix something that I didn't -- an issue that I didn't create and I think that's part of -- yeah, it's part of my -- the trauma that I'm carrying.

And then also, you know, I feel so embarrassed that I missed my mum before she died, and I've been carrying that around for a really long time, you know, and I've never really spoken to my Samoan family about that either, of what was going on for me or why, you know, because it just -- it's a big thing to miss, you know, for me and in general, and yeah, I feel really embarrassed. So of course it's just like one embarrassment on top of another, then makes me -- makes it hard for me to reach out, you know, because I carry the shame. And it's only really recently I had a dream about my mum and I woke up and I was like oh my gosh I've been living with this shame for a long time, I have to forgive myself, you know, and so I've started to talk about it now and that's shifting things and making me feel better.

I think the other thing is because my adopted mother has passed away as well, and that's given me the space to also go this is -- I want to explore this part of who I am more and I can do it without feeling the conflict, the same level of conflict, because she's no longer around and I don't have to deal with that.

Q. Okay, all right, Ms TU. So just looking at other aspects of identity that you wanted to bring out in your session today. If you could look at paragraphs 175 to 179.

A. Yeah, so language and fa'asamoa, like just not understanding that, and recognising, you know, I was a '70s born Samoan in New Zealand and I probably would have been completely fluent. And also, you know, at that time I just, yeah, the State should have ensured that I had access to language and community. And because I am, you know, I'm a

lawyer, so I do think about these things in legal terms as well. Mainly because I've been working in, you know, indigenous rights and I was in the US in 2018 working in indigenous rights and I was reading UNDRIP and I saw the, you know, the kind of prohibition or the right not to be -- for children not to be enforced, or enforced assimilation. And I just remember pausing on that and realising that actually I believe that's what happened to me. And I didn't, you know, I didn't have the language that I could use at that point until then, and I started to think about it differently, and that actually I should have never been put in that family and I have told, you know, I've told my biological father that, who I love dearly, that actually they shouldn't have had me because I was a Samoan child and I should have been given the ability to learn my language and my culture.

And so, you know, I also work in an area where I look at the right to culture a lot, and you know, I guess I started to frame it as a human rights violation, you know, that was a violation of my human rights to my culture, my right to my culture. And when it affects your -- so affects your identity the State has to facilitate or take a different decision or do a different thing to ensure that you have your right to culture.

The other thing, you know, I mean I -- I've been preempting and thinking about some of this because, you know, New Zealand hadn't signed up to the International Covenant of Civil and Political Rights by the time I was born, but it had signed up and ratified the Racial Discrimination Act, and the Racial Discrimination Act also, you know, has provisions around cultural rights and ensuring, you know, it's a form of structural racism to just pretend that someone doesn't have a culture, and to put them somewhere else. So I do believe that there are obligations, clear obligations on New Zealand at the time to think through these issues in relation to me, and I believe that the racialised and racist climate of the '70s prohibited that from happening.

Q. And then you talk about the impact, what you've gone through influencing your decision not to have children.

A. Yes. Well, I mean my brother hasn't had children either, my adopted brother. And I think we just were so traumatised by that family, or, you know, like living through all of that pain, that -- well, sorry, I should just speak for myself. Yeah, I didn't have children, and I realise now as I really try and heal some of this, that I wanted to have children, like and it was really important for me I think to carry the line, you know, as a Samoan person to have children, but, you know, I woke up and I was like I'm 45 now and I've missed it, I've missed that boat, because I just was dealing with so much trauma, and still am.

Q. Okay Ms TU, we're just going to come to you getting your malu.

A. Yes.

Q. If you could just take us through that, because that's of some particular significance to you --

A. Yeah.

Q. -- you getting that done.

A. Yes, it is a lot of significance to me. So when I first went to Samoa I -- the family that I went to, they had a long tradition of, you know, having tattoos like the pe'a and the malu. So one of my cousins had one, it was the first time that I actually kind of encountered the Samoan tattooing tradition, and I just was really drawn to it because, particularly the malu, it made sense of Samoan size, like it just was such a beautiful thing that I just -- I thought it was the centre of a Samoan woman's identity, but I also recognise there's a lot of protocols of who can and who can't. So it was something that I wanted to do, but I didn't really do anything about it. And also I was afraid to as well. So particularly with my adopted mother I waited until after she died, because I was afraid that she would say something and it would just be a flippant comment, like “why would you do that to your thighs” or something like that. And even though it's a flippant comment it would have just been murder to me because it's something important to me. And so I didn't do that, I waited.

And then I finally decided that I would see and put out some feelers to see whether I could do it. And I'd met some other Samoans who had gone through it and they talked to me about their process. And so I arranged through my sibling's dad who was living in Samoa at the time and then I kind of -- I arranged for my -- one of my siblings to come, my -- the one six years younger than me to come with me and her family and then my best friends came as well. And then it was a really interesting experience, because of course I was really afraid of what the pain would be and I was -- for some reason I kept on -- I dreamt about centipedes and then I got bitten by centipedes and there were centipedes everywhere and I hadn't noticed them before when I'd been to Samoa. So there was some kind of talk and they were like "You better go and speak to the old people about whether what you're doing is okay." So we did and this was my aunty who I'd stayed with years and years beforehand. And the night before they rang and said "We're coming, we're going to come and support you."

And that was -- meant so much to me, that they came, and they also then required that I had a blessing afterwards and talked me through it, told me the stories around malu, you know, were there and spoke on my behalf when, you know, during the blessing and the ceremony. But of course no-one really told me what was going to happen and I didn't

realise that I'd have to dance, so siva, and I didn't know how to, and so my sister rushed in and danced for me because I was standing there going oh my gosh. So yeah, so it was amazing but it also kind of showed a lot of my, I think discomfort and disconnection as well. But also connect, you know, the connection.

And the other thing, which I thought was really beautiful is the philosophy, like learning the philosophy around it. So my uncle, you know, pulled me aside and whispered in my ear and said, you know, talked about life and suffering and pain, and that, you know, like today what I would experience would be learning about pain and suffering but in my head I was like I know what pain and suffering's like, that's what's going to get me through this. And so I did learn about pain and suffering, but actually through recognising that I'd been a lot -- through a lot anyway and that I could get through this.

And then the other thing at the end, you know, it was pretty amazing having family there just wishing me on and saying go, you know, "Well done, malo, GRO-B, you know, holding my hands. And then afterwards my aunty said, "Yeah, you've got mana now", which was amazing. It was a great experience. And I'm really proud as well, that I got through it.

Q. And you proudly wear your malu and show it in the right occasions?

A. I do. It's funny, because, you know, when I was a barrister here in Australia I was a bit afraid of showing it because it's a really conservative and white environment. But in recent years I just, you know, I have no problems with, you know, I mean I'm -- I know how to wear it, I've been told like what length of my skirt should be and those kind of things, but yeah, I'm really proud of it.

Q. Right, okay. Thank you Ms TU. So we're going to come to the redress and recommendations before we close off this afternoon and leave some questions for the Commissioners.

A. Yeah.

Q. So we're just looking at paragraph 187 where you outline your redress recommendations and I understand you'd like to speak to these. So please feel free, Ms TU, when you're ready.

A. Yeah, I might just address it under each of the subject headings if that's okay?

Q. Yeah.

A. So yeah, I mean I've been really clear that I would recommend open adoptions and access to information. So there's two parts of that. The first part would be that the State obtains enough, sufficient information, and information that the child wants to know; is, you know,

what are the challenges that my mum was facing, you know, what was the circumstances, what did they know and how did they help her, like but all of that kind of information as well, as well as the information about the family and where she comes from and, you know, her experiences and those kind of things. And I just -- it's cruel, it's cruel to lock a child out from that information until they're 20, it's not fair, and so, you know, the child should be able to access that information early on.

In relation to the appropriateness of the placement, I'm not really sure and -- what level of due diligence was done, you know, because I can't -- I can't work that out from what the information that I have in relation to the adoption placement. I know kind of anti -- I know what I've been told and I was told that they got me because my grandmother was well-known in the social services community and so they -- so I'm not sure to the extent that there was much due diligence because of that. And I don't think the interim period is long enough to work out whether the placement is going to be the right one or not.

I do recognise those kind of questions around certainty, but as I've said before, if a family wants to adopt a child then they shouldn't be concerned about the State just coming in and seeing if things are okay, that just should be par for the course. Yeah, I think -- I wanted to be really clear about something which -- clear to the Commission. Because I did want to talk about the abuse that I suffered in the adopted family. And I recognise the difference between direct harm and indirect harm.

So from a perspective of direct harm, the State's decision about cutting me off from my culture is a direct harm. In relation to what happened to me during the adoption placement, the State didn't do that to me, they put me in that family. But there could have been ways that would have made me less vulnerable to that kind of harm, and that's an open adoption, that is checking in. There are a lot of things that could have minimised the effect of that on me, and that I do say the State has some responsibility for. There is a material contribution, and to use those terms, in relation to what happened to me in that family and the State's role.

Q. Because you're making also the distinction between the decision to cut you off from your culture.

A. That's right.

Q. And the abuse that happens there, right, so the first decision made was to cut you off from your Samoan heritage.

A. That's a direct harm that the State bears responsibility for, yes.

Q. Okay, carry on Ms TU. Carry on.

A. Sorry. I'm sorry my battery's running low, can I just have a second --

Q. Sure.

A. -- to plug it in. -- can we have a break, sorry?

Q. Sure.

CHAIR: You just let us know when you're ready for us to come back.

A. Great, thank you.

Adjournment from 12.42 pm to 12.48 pm

QUESTIONING BY MS SHARKEY CONTINUED: All right, Ms TU, you're ready to go?

A. I am.

Q. All good. Okay, so we've gone through adoption information and most of appropriateness of placement. But if you could just look at 195 please. I know that's something that you wanted to make clear.

A. Yeah, do you mind if I just go back just a little bit, because I realised I missed a couple of things that I wanted to say about having had early access to Samoan culture, whether that was through my biological family or whether it was through some other mechanism, you know, which the State would have required, having experienced meeting my Samoan family and seeing the kind of the strength and power in that family in the community and how strong and beautiful the culture is, I do think like having that rootedness as a kid, and that's when I talk about steps that could have happened that would have made me less vulnerable to what happened in my other family. So even if I had gone through all of that abuse, if I had that other part that was mine, and that I had learned the language and the culture, I think that would have really gone a long way to mitigating a lot of that harm. And that's what I talk about in 192, so I just wanted to kind of talk about that as a protective factor, because that's the experience that I've experienced finding my family and the more kind of I grow into being Samoan and delve into that world, the stronger I feel as a person. Even though I still feel like all this dislocation and I'm still getting there, I know it from that experience. And so if I'd had it from the beginning, it would have been a protective factor for me I believe.

Q. So knowing your Samoan culture has strengthened your identity, strengthened everything about you?

A. Absolutely.

Q. All right.

A. Yeah, so that's why loss of culture in a sense is massive. It's big on its own. Obviously, as I was saying, my experience is complex because of all this other stuff that happened to me.

And so one, the loss of culture is significant, but then all of the trauma just compounds that for me, because it made it -- it's made it extremely hard for me to connect. But just because of all the fears, you know, all the anxiety, the panic attacks, those kind of things, having to manage all of that and then managing all of these other emotions is really hard, I have to tell you. So, and, you know, like trying to be -- have a career, trying to do all those things, it's just -- it's a mess, it's a complex mess, created by adoption.

Q. So you're saying there in 195 that if adoption has to take place it should be with the same cultural background?

A. Yeah, absolutely, and I think, you know, I think it was clear -- it's been pretty clear from the beginning, but there is a right to culture, every child has a right to culture, and indigenous cultures even more so the State has to be very careful. Like the New Zealand State had a colonial relationship with Samoans, an historical one, and it had an obligation to ensure that it didn't wipe that, it didn't just wipe that away, and it did. So the first option should be interfamily, obviously interfamily adoption, if that's not an option, and often it wouldn't be, it should be the same cultural background. If that's not an option, another Pacific community, if that's not an option, then potentially a white family, but with major requirements for connection to community and language.

Q. Thank you. Thank you Ms TU. So then we've gone through the closed open adoptions and had a look at that, and we're just going to have a look at access to records. I know you'd like to make some things clear just on that issue.

A. I, you know, I was lucky that they released that information to my biological parents -- sorry, my adoptive parents, the early information. I'm not sure to what extent other adopted children can get access to that information, but if I didn't have that I would have had to wait until I was 20. And I had to wait anyway to get information that was really sparse and didn't give me enough information without some really hard work from someone who knew that what they were doing to find -- to find my mum and to find my family. So I feel that the information needs to be facilitated and not a barrier, and I think the information was a barrier, it wasn't facilitated. It wasn't facilitated in telling me who I was and who my family was, where I could find them, or any other of the important details of whatever they went through and why they were making that decision.

Q. Right, and so you're saying there that access to those records shouldn't have an age limit?

A. Yes, absolutely.

Q. And you and I have had discussions about perhaps in some situations women's rights about having their own information released. You've got some thoughts on that?

A. Yes, I do, I mean look my -- there is a balancing act and I recognise that. But I think that the system that is in place is not flexible, and it doesn't allow for the fact that there might be different circumstances for different people. So in the case of my mum an open adoption probably actually would have been the appropriate form of adoption and a free exchange of information, or at least the option of that so that when -- or for any woman, so that when they want to come back into the life that they can. But then at the same time the child has a right to know, and I feel that ultimately people are adults, so the woman can give up the child, but they can refuse to see the child if they want to. That's something that the State doesn't have to create that barrier, that's something that people can work out for themselves. And that's not something for the State to be so concerned about those things. And so ultimately on those balancing I fall down on the fact that the child should have the right to know who their parents are.

Q. Thank you Ms TU. Just finally just looking at your final paragraphs in relation to healing if you'd like to make any comments and then I'll leave it for the Commissioners to ask any questions they might have.

A. Yeah, the State offered me no help when I was trying to find my mum. And that's something I need to kind of say that I think that needs to be -- there needs to be help and counselling and those kind of things for adopted children when they're trying to find their family. In terms of healing, I know that if I spoke Samoan that would go a long way for me to not feel so disconnected. And I was speaking to someone recently who teaches heritage speakers language skills and she was saying that particularly people in my position, because of all the, you know, the racist kind of -- the racism that I experienced as a kid, the kind of the '70s context of New Zealand, I picked up all that stuff in relation to Pacific Islands, you know, that that speaking becomes quite traumatic for people, and because I'm adopted it's even more so, and so there is -- there are all these kind of other emotional aspects that need to be dealt with. And so, you know, I think about I go, you know, I've had 20 years I could have learned but it's not that easy, because I would have had to have suspended, you know, my career, I would have had to have saved up a lot of money, like logistically I would have either needed to have come to New Zealand and spend a long time or go to Samoa. And so for me I think that there needs to be a cultural restitution and that the State should facilitate me learning my language. So that's one aspect.

Then the other aspect is that I've been in counselling for a really long time. I've spent so much money on counselling, and I continue to. And so I'm still living with trauma, I'm still suffering from trauma and it has affected, you know, like you can look at

my career and go wow, but it's affected me at each step. And so for me I want some help with that, I want some help to heal and it doesn't all just fall on me.

Q. Thank you Ms TU. Do you have any final comments before I hand it over to the Commissioners?

A. No final comments no, but I would like to thank people after the Commissioners ask me some questions.

Q. Right, okay. Sure.

CHAIR: Certainly allow you to do that. Yes Commissioner Erueti.

COMMISSIONER ERUETI: Kia ora whaea, my name's Anaru, one of the Commissioners, I wanted to thank you for your time today. We spent a lot of time at the Commissioner's table talking about adoption and its impacts, and it was really enlightening today what you shared with us about the placement, culture, cultural safety, the need for ongoing supervision, and your comments on records and what you need to heal, including cultural restitution. So from me to you, thank you very much for your time, much appreciated, kia ora.

A. Thank you.

CHAIR: And to Ali'imuamua Sandra Alofivae.

COMMISSIONER ALOFIVAE: Lau susuga Ms TU malo le soifua maua ma le lagi e mama i lenei taeao. Malo le tauivi. Malo le fa'asoa. You are an amazing woman. You've had an incredible journey and much has been said, but your rich contribution to our talanoa this morning, thank you for bringing that, thank you for having the courage to do that, for sharing some of those really personal things that you've had to unlock. But, you know, the frame is the tatala e pulonga, to lift the dark cloud. And I just wanted to comment on two things. One was the ifoga and the significance of that, and I suppose you would have heard in the last couple of days about the concept of the vā, you probably know about that concept.

A. Yeah.

Q. And just the richness of how your aiga actually honours the vā and even your mother in her last moments. So even though you might not have got to say goodbye to her, I think you can rest assured that she truly loved you right to the very end, right to her last days. But also the malu, right, so the malu, as you know, is particular to Samoan women. So we would say to you, ua e ofu i laei o le atunu'u. You wear a cultural dress wherever you go in the world, Ms TU, people who know what the malu is will know that you are of Samoan heritage.

So you be proud of that, and I'm so encouraged by what I'm hearing, and your contribution today and your recommendations in particular, which we take particular note of in the context of everything else, we're very, very grateful for. So thank you to add together voices of many afakasi children out there and of course those who have been in the adoption space, Malie.

A. Thank you.

CHAIR: Ms TU, the thing that struck me about your rich and wide and long story is the vulnerability of the adopted child. Though the State attempts to legislate away an identity, it might do so in law but of course it doesn't in reality, does it.

A. That's right.

Q. And you said two things, that you felt that if you'd had your culture or an understanding of your culture earlier, it might have made -- given you something that was yours, that would have helped you manage better. And I'm going to disagree with you on that, because I don't think the responsibility should be on the child to manage anything. I mean it might have helped you get through a bit, but that's what I'm talking about the vulnerability. No child should be left in that situation to try and find their own ways of managing when they've been placed it in it by the State, by a State process. So that's a bit of a long introduction to asking you a question with all your understanding and knowledge, both in the law and as a personal experience, in our very imperfect world and we're still running with an Adoption Act from 1955. If and when the authorities get around to dealing with it, do you think there is a place for having a type of maybe guardian overseer, oversight, connecting person that doesn't just wait for six months and then leave you alone and vulnerable, but keeps a check in?

A. Yeah.

Q. Because it strikes me you had nowhere to go, did you.

A. I had -- yeah, and that's something that I think I say a few times, I had nowhere to go and no-one to talk to. And I do -- I do, I actually think -- I mean I've had discussions and discussions about this, I think, you know, they describe adoption as a fiction. And I think life is messier than a fiction, and I don't understand why you would make a differentiation between all the care that's taken in relation to fostering a child versus adopting one. The State's making a decision on very little information of where to put a child. And I know that there are good adoptions as well, but if the parents really want that child, then they should just recognise that this is the State's way of ensuring the child's welfare. Because it's a fiction to -- like I knew I was adopted the whole time. You know that that's the case

during that time. So I do think something like that should be -- could be a way of dealing with it, where they just check in every once and a while, "How's it going", you know.

Q. A safeguard, and somewhere for you to go to in the circumstance where the duty of care is not being met?

A. That's right, yeah. Because I think, you know, I thought about this and I've thought about it, but ultimately the State makes a decision to take a baby and to put the baby somewhere. And that that's a long -- that's a big decision to make, and so I do think there has to be safeguards in relation to that.

Q. Yes, thank you for that and that shows the learning that I've taken from your evidence, it's been in the back of my mind but you've given flesh and bones to that concept and I'm very grateful for that. So I'm now going to hand you to our colleague Commissioner Steenson who may have some questions and then we'll formally thank you. Thank you.

COMMISSIONER STEENSON: Ms TU, tēnā koe. E whakawhetai ana te Kōmihana ki te kaha o Ms TU ki te kōrero i te kaupapa nui i tēnei ra. Tēnā koe, tēnā koe. I say that to formally not only acknowledge you, but I say tēnā koe to formally acknowledge your ancestors and your whakapapa that are with you. And, you know, you have, as my colleagues have said, given a real insight into the traumatic impacts that you're still dealing with in the State's decision to adopt you in the way that they did. And amongst all of the various horrendous abuse that you experienced, as with other survivors we've heard the loss of your culture has been really devastating to you, and constantly feeling disconnected and that something's missing. Your yearning for your biological mother and connection to your culture.

But I get the sense that your tupuna, your ancestors, they have been with you and been guiding and connecting you, and this is part of your yearning that has brought you back. And also despite all of that, making sure that you became a lawyer, you found your dreams. And so, yeah, honouring you and your tupuna, I'm very grateful and that you've come and spoken to us about that today, acknowledging that.

On your recommendations around adoption as well, I just want to acknowledge that the things that you have suggested resonate with me because they sound very much like the concept of whangai from Te Ao Māori, making sure that you are -- if you are a pepe that needs to, for whatever reason has to be moved from a different whānau, then you're moved to a whānau within your community and you're still connected with your culture. So the things that you have suggested are extremely useful and resonate, so ngā mihi nui, I wish you all the best, tēnā koe.

A. Thank you.

CHAIR: And we'll leave the floor to you, because you wanted to say something to conclude.

A. Yes, so I wanted to thank you, Commissioners, for hearing me today, and also recognising that my evidence and other people's evidence have been dealing with a lot of pain and harm, and so just acknowledging that you're hearing a lot of painful things and thinking -- and that I'm thinking about your well-being.

I wanted to thank -- I really wanted to thank my lawyers and investigation team. I don't think that I would have been able to do this if the Commission hadn't thought through carefully who would be taking my evidence. And I just think it's amazing that you've got like a Pasifika investigations team. They helped me from the very beginning, they understood what I was talking about, it didn't feel like that I had to explain things. And I just think that the cultural sensitivity around that has been really important to me and it gave me more courage to know that I was doing the right thing because I told you that I had a lot of conflicts about that.

So in particular I wanted to thank Sharkey who I think has, you know, really great to talk to and amazing lawyer, Stephanie, Reina and Helenā. And I wanted to thank the well-being person Maikali who's worked really hard to build a trusting relationship with me, and I haven't been easy to connect with, but he has made me feel really comfortable giving evidence today. And I wanted to thank all my friends and family who are listening in there or are supporting me. Thank you.

CHAIR: We join you in thank you, I think did you want to -- I think you're going to be honoured with a waiata, yes.

[Samoan song]

MS SHARKEY: Fa'afetai lava Ms TU. I'll be in touch with you and I'll pay you for your comments later okay? Thank you very much. We'll talk soon.

A. Bye.

CHAIR: We'll take the lunch adjournment now and resume again at, Ms Sharkey?

MS SHARKEY: 2.15?

CHAIR: 2.15 we'll resume, thank you.

Lunch adjournment from 1.14 pm 2.15 pm

CHAIR: Good afternoon everybody, welcome back to the last session of today's hearing, and I'm going to invite Ms Va'ai to come forward to present our witness.

MS VA'AI: Kia orana tatou katoatoa, our first witness is Dr Sam Manuela.

DR SAM MANUELA

CHAIR: Good afternoon Dr Manuela, welcome to the Royal Commission. Can you see me?

Before we start can I just ask you to take the affirmation. Do you solemnly, sincerely and truly declare and affirm that the evidence that you will give to the Commission will be the truth, the whole truth and nothing but the truth?

A. Yes.

Q. Thank you, I'll leave with you Ms Va'ai.

QUESTIONING BY MS VA'AI: Thank you. Kia orana Dr Sam Manuela. Meitaki for being here today. Before we begin I'm wondering if you could please introduce yourself and tell us a bit about your background.

A. Yes, kia orana tatou katoatoa. My name is Sam Manuela, I am a senior lecturer in the School of Psychology at the University of Auckland. I am Cook Island through my father, we are from Manihiki in the Cook Islands and we live in Nikao. We also have links to Atiu and Pukapuka. Through my mother I am European, she is from Te Kuiti down in the King Country. Myself, I am born and raised here in New Zealand in Auckland.

At the University of Auckland within the School of Psychology I teach across undergraduate psychology, I teach cultural psychology within our introductory psychology courses. In stage 3 I teach in a paper on culture and psychology focusing specifically on Pacific issues that are psychology relevant. In postgraduate I facilitate a course on ethnicity, identity and culture where I encourage students to draw on their own ethnic and cultural expertise to explore topics around sexuality, spirituality, masculinity, identity, language, and how these relate to our people's every day lives as well.

In addition to teaching I'm a researcher as well. I'm currently leading two research projects, one is funded by the Health Research Council of New Zealand. And this project is going to be a survey of mental health in the Cook Islands, which has not been done before, so I'm quite excited to head over to the Cook Islands once the Covid situation calms down a bit. Another project that I'm leading is funded by the Royal Society of New Zealand, it's a Marsden Fast-Grant study. That study will be looking at how Pacific psychologists in New Zealand incorporate their cultural knowledge and expertise into their psychological training and working with their clients.

Q. Thank you. Very impressive young man. Dr Manuela, in light of your background as an academic, why have you decided to answer the call to be here in the Fale o Samoa as an expert witness for the Pacific hearing, Tatala e Pulonga?

A. My research expertise focuses specifically on the identities and well-being of Pacific peoples, so that is a large theme across the broad range of research projects that I do. When I first was asked to be part of this Inquiry I was a bit sceptical about why personally I was

asked, but after talking with yourself and the rest of your team, they helped me realise the broader implications of what the survivors have experienced and looking at the statements as well and hearing some of the statements that I've -- throughout the week, I see a lot of the themes that they have experienced as well resonate with what I have specialisation in.

Q. Thank you. And I've seen you here at the hearing, you've been here for the past couple of days. Would you agree that ethnic and cultural identity are some of the stronger themes coming out of the Pacific survivor stories?

A. Yes.

Q. As you are well aware, ethnic and cultural identity and the ways in which they're linked to well-being are very complex. What I'd like to do is unpack these concepts and walk through the ways in which your work through the study of cultural identity and well-being, just looking at how they're closely linked with our Pacific survivor stories. So I'll start off with something that you refer to in your statement provided to the Commission. You refer to something called "psychological perspectives". What does this mean, Dr Manuela?

A. So psychology as a discipline is a relatively young discipline. It has grown in prominence since the 1800s. Where psychology has been developed has largely been in North America and Europe. And so when I'm talking about psychological perspectives, what I'm referring to primarily is the theories and the methods that have been developed within psychology, but how these methods and theories have been developed within their own cultural context as well, that being primarily North America and Europe. And so when I do talk about psychology perspectives it's recognising that psychology as a discipline is quite Eurocentric and it is predominantly based on western value systems.

Q. So just to clarify, whenever you refer to psychological perspectives, what you're talking about is a Eurocentric western view of psychology, is that correct?

A. Yes, in addition to what I do in psychology, I guess I'll clarify a little bit further as well. My background is in social psychology, so it looks at how -- the relationship between people and their social environments that also intersects another specialisation which I have which is in cultural and Pacific psychologies as well. So I'm in kind of a unique position here being -- having expertise in two different areas of psychology. Part of that is recognising the cultural biases that are embedded within the disciplines that we are taught as well. So what I'm doing here is looking at the cultural biases that are embedded within psychology as a discipline and how Pacific knowledges can be part of that and can enhance the discipline as well.

Q. We'll just put on our western Eurocentric hat for a minute. I'm going to ask whether you

can share how ethnic and cultural identity are understood from this perspective.

A. Yes. So ethnic identity, there are multiple theories that can help explain from psychological perspectives what that is. Social Identity Theory is one of the major ones. So Social Identity Theory posits that people will categorise themselves into particular social groups. That can be ethnicity, it can be gender, it can also be things like religion, people can identify themselves in terms of the churches that they belong to as well. And so recognition of these different groups that we belong to is ways in which people can form their own identities. So identity itself isn't a singular thing, it is a multi-faceted, multi-factorial construct. So our identities are a constellation of our perceived memberships across various groups.

So for instance, under a Social Identity Theory perspective, ethnic identity would be a recognition of an ethnic group that you belong to and your perceived membership within that group as well. With that membership, often there is what we would call an in group. So the in group is what is the group that you identify yourself as belonging to. And then there will also be various out groups. So these are the different groups that we use to compare and contrast ourselves with.

These comparisons are usually done in a way in which we can see ourselves in a positive light, and so people will tend to make clear distinctions between one group and another group, make a distinction of themselves belonging to one group and view that group membership in a positive way. So that's under a social identity perspective.

If we look more deeply into the content of ethnic identity and what that actually entails. So ethnic identity is then suggested to comprise of recognition of belonging to an ethnic group, so understanding the labels that signify an ethnicity that you can identify with.

Attached to that is also the feelings and the attitudes that you have about your membership with that group as well. So it is a sense of belonging to that ethnic group, it is the positive or the negative attitudes that you can have about that ethnic group as well.

Further to that, and this is a source of some contention within psychological literature as well, is the behaviours that are associated with ethnic groups as well. Quite often this is seen as cultural practices, stances, and language as well. So when we're looking at ethnic identity, we're looking in terms -- sometimes we're looking at the content of that, which I have just discussed now.

Crucial to ethnic identity, it is important to recognise that we aren't born with an identity, it is something that develops over time. And so ethnic identity development is a long process and within psychological literature there has been what has been described as stages in

which people can go through. The first stage would be a diffuse stage. So this is when people have done very little to no exploration around what their identity means to them, and they don't have a very clear understanding of what their ethnic identity means to them either.

Another stage is what is called foreclosed. This stage it is where people understand that they belong to an ethnic group, or they know that they are part of a particular ethnic group, but they have not done any exploration around what that means to them.

Another stage is moratorium. This part is where people have searched around what their ethnicity means to them, but there is some confusion around what that meaning means, and what that means in relation to their own ethnicity.

And finally, there is achieved. So the achieved status suggests that people have explored what their ethnicity means to them, they have a clear and secure understanding of what that means to their own self-concept.

Ethnic identity development generally occurs through adolescence. So as people are growing up, they're going through these particular stages, starting at the diffuse stage, perhaps going back and forth between foreclosed and moratorium and then eventually hopefully coming to an achieved status where they have navigated what their ethnic identity means to them.

However, with young children and babies as well, and I'd like to connect this to some of the evidence that was provided by expert witness Dr Seini Taufa where we can ascribe identity to someone. So as a baby, like the baby that was just crying now, that baby will be given an ethnic group label. That baby doesn't describe what -- doesn't say what the ethnic group label is. As that young baby gets older, eventually she will come to understand that she is Samoan, or she is Cook Island. As she gets older she'll perhaps start to explore what that means for her and what that means for those around her. And hopefully at some point she will have an understanding of what that actually means and that will then form a strong part of her ethnic identity.

Q. Thank you. So we've still got the western hat on and can you explain how well-being is understood through this particular lens?

A. Yes. So well-being is a bit of a surprisingly difficult concept to define easily. And but largely what researchers in this area have -- kind of agree upon is that well-being is the ways in which people appraise or evaluate their life in a positive manner. So this can often be associated with things like quality of life, positive or negative affect, happiness and life satisfaction. Some key theorists in well-being, they posit that well-being can be understood

across six key domains. So these include self-acceptance, which is exploring the, or understanding positive attitudes about yourself, environmental mastery, so that is when people are able to make use of the opportunities around them and are able to manage their day-to-day life. Positive relationships with others is another one, so this is when people are able to engage in very meaningful and reciprocal intimate relationships with others. Personal growth, where people can recognise their own development over time. Purpose in life, so people have goals, they can move towards their goals and know that their life holds meaning, and autonomy as well. So people feel that they have the ability to guide their own life and regulate their own behaviour.

So what I have described there is what I would call subjective well-being. So subjective well-being is where this is people deciding for themselves what well-being feels like and looks like for them. But we, as a social psychologist, I always am mindful that people are embedded within social systems. So we must balance their own appraisals of their life with what I would call objective indicators of well-being as well.

These objective indicators of well-being are things that people can have control over, sometimes they can't have control over. Things like housing, having safe, warm, comfortable homes, a safe home environment, education, employment, health, these things contribute to well-being as well. So although people can evaluate their own lives and the ways in which they need to, we must be mindful that there are other things that contribute to that well-being as well.

Quite often when we're looking at things like objective indicators of well-being, there can be a tendency to equate that with success. So having a good job means you're successful, that can -- I think the research generally shows that people with higher qualifications and education tend to be employed in higher paying jobs. There is a saying, I guess, that money doesn't buy happiness. This is a myth and it is not that money buys happiness, it's that being financially secure affords you stability and security when times get tough. So this is the ways in which we can understand the objective indicators of well-being, that having a high paying job is going to afford you that safety net which is going to support or enhance your own subjective well-being as well.

Q. So if we're still viewing psychology through this western framework, can you explain the relationship between ethnic identity and well-being, how they're linked?

A. Yes. So when I talked about Social Identity Theory, one of the key aspects of that theory is that people are motivated to see themselves in a positive light. And they will tend to make these comparisons between their in group and their out group in a way that is going to

bolster their self-esteem. And so with ethnic identity, particularly those who have a very secure and good understanding of what their ethnic identity means for them, quite often we will see that this is paired with positive self-esteem, that it is paired with mastery in other areas of their life as well.

There are several meta-analyses that have been conducted. A meta-analysis is when multiple studies that have been done independently of each other are pulled together, and we look at the average of the results across all of these different studies. And they have consistently shown that a strong or positive ethnic identity has a positive relationship with well-being outcomes. And these well-being outcomes can be diverse, it can be self-esteem, it could be good mental health, it could be a positive self-concept.

And so when we see these links here, we just know that ethnic identity is positively related to all these other positive life outcomes, but there are ways in which that relationship can be influenced as well, in light of ethnic identity, perhaps one of the biggest contributors to influencing that relationship would be things like ethnic discrimination, marginalisation, prejudice and things like racism as well.

Q. You've just mentioned that discrimination can influence the relationship between ethnic identity and well-being. Are you able to expand on this a little bit more?

A. Yes. So in addition to those meta-analyses that highlight the overall positive relationship between identity and well-being, those same meta-analyses have been conducted to explore the relationships between discrimination and well-being. I have an image that I have developed that will help illustrate these relationships that I'm talking about. Yes, so on the left-hand side there we can see that ethnic identity will positively influence your well-being. Likewise, discrimination is going to negatively impact your well-being.

So what we have here is people, we're telling people that your ethnic identity is good for your well-being. We're also telling people that discrimination is bad for your well-being. So what happens if your ethnicity is the target for discrimination? What we see here is these two opposing affects, positive in one direction, negative in the other. So the relationship between ethnic identity and well-being and the relationship between discrimination and well-being is very complex. And the literature does not show a very clear picture of that relationship either.

In some instances, ethnic discrimination is going to -- sorry, ethnic discrimination can enhance the negative effects of well-being. In some instances we see that discrimination has no impact on well-being, in other instances we see that discrimination increases well-being. And this really depends on the ways in which we understand the relationship between these three

constructs.

I will talk a bit later about some research that I have done in relation to this on Pacific identities discrimination and well-being. But I do want to make note here that generally what we are looking at is a very complicated situation and there is no single way in which people are going to respond to ethnic discrimination, it depends on a whole range of different factors, ethnic identity is one part of that puzzle.

Q. Now we're going to switch hats, we're putting our island hat on now, or ei katu as we're both wearing today. I'm going to take you to paragraph 25 of your statement where you say, "Understanding Pacific ethnic identity requires moving beyond psychological perspectives." Can you please share what you mean by this?

A. Yes, so when I talked about the cultural context and the cultural biases of psychology, moving beyond that means reframing the knowledge base that we are working with in psychology as well. And so what we can do here is look at Pacific epistemology, and epistemology is the nature of the knowledge and the nature of the construction of knowledge. And this is where we can inform our understanding of something based on the world view of Pacific knowledges, or Pacific epistemologies. I'm intentionally pluralising them here because there is no single Pacific knowledge system. We are constantly working with multiple Pacific knowledge systems. And psychology needs to be reflecting that as well.

So when we take a Pacific perspective, we are often doing so from our own unique Pacific perspective. I'm here today as one voice, as a Cook Island man to give my perspective of psychology as that is informed by my understanding of my culture. But I'm also drawing upon common elements across diverse Pacific cultures to inform this understanding as well.

And so when we are trying to understand any kind of Pacific perspective, especially in relation to Pacific identities and well-being, my specific focus is going to be in the context of Aotearoa. So how this has developed within this country. Pacific perspectives also make sure that we are mindful and aware of the social, the cultural and the historical backdrops of what we are dealing with at the same time. So for Pacific peoples in New Zealand, this means that we are taking into account the influence of Christianity being introduced to our region, the migration story of our people to this country, the Dawn Raids that happened to us as well. And this is the historical backdrop that we have in this country where the young people, young Pacific people that we have in New Zealand today are the products of their history that they have come from.

It is also recognising that the diversity that exists within the Pacific, our Cook Islanders, our Samoans, our Tongans, they are all reflected here in New Zealand, but there's also other levels that we need to be mindful of as well. Myself, I am born and raised in New Zealand. We also must be mindful of those who are recent migrants to this country too, that the experiences that they may have in this country will likely be different to the experiences that I have here.

There are other aspects that we need to take into consideration as well. Ethnicity does not act alone. They are not -- it is not the only thing that make up who we are. We have our religions, we have our spiritualities, we have our sexualities, we have our physical health as well. All of these things are forming the wider picture of who we need to -- of what we need to understand to know who we are.

But these all have their own culturally nuanced meanings as well which have changed over time and they change depending on where we are. What it means to be Tongan in New Zealand is not the same, likely not to be the same as what it means to be Tongan in Tonga or Tongan in Australia. The histories of these countries are different, the cultural context of these countries are different as well. So a Pacific perspective is recognising all of that in addition to recognising the cultural knowledge that we hold in this country too.

Q. Thank you. In your statement you mentioned the word "vā" and vā is a concept that we've heard even just as early as earlier today.

A. Yes.

Q. And also yesterday. But there are so many layers to this pan-Pacific concept. Can you explain how you see the vā working in the context of abuse in care?

A. Yes. For me, and this is my understanding as well, I will talk about what I think vā is first. And it has been spoken about quite a lot throughout this Inquiry this week. For me, vā is the space between people, it is also the space between people and objects, people and their land. And when we talk about space, we're not talking about a physical gap, we're talking about a social space. It is a space that isn't defined by distance, but it is defined by connections. And so it is within the space in which we -- in which relationships are formed and it is in which relationships are nurtured and in which they are maintained.

So vā in the context of abuse in care, if we're thinking about the importance and the value, the sacredness of these relationships that we have, these relationships are tapu, our vā is tapu. Abuse in care is a violation of that relationship. It is a damage to the vā. And so it is important for us to be able to recognise what that damage looks like and it is also important for us to be able to nurture that space, nurture that vā and to repair it as well.

Q. You've shared how cultural and ethnic identity are understood from psychological perspectives. From your perspective as a Pacific professional, how is cultural and ethnic identity, how are they viewed through a Pacific lens?

A. I will start by critiquing some of the theories that I just mentioned earlier. When I talked about the -- those stages of ethnic identity, of being diffuse, foreclosed, moratorium and achieved, that gives an impression that identity is a linear process, that is something that we have a trajectory towards. Research in Pacific locations and with Pacific peoples is different. We don't look at identity as a linear process. Perhaps a more apt description is that our ethnic identity is a journey, and it is a journey that doesn't have a destination, it is a continuous thing that we are always navigating.

So when we're thinking about these journeys that we go upon, there may be some similarities so what we see in psychological perspectives, but what psychological perspectives miss is a lot of the social and cultural and historical contexts in which we are embedded in that shape these journeys that we go along.

So part of this is recognising that our journeys can be marked by periods of confusion, periods of exploration, and periods of tension as well. To be Pacific in this country means that you are being Pacific against a backdrop of discrimination and against a backdrop in which systems have been developed in a way that does not take who you are as a Pacific person into account.

We are also, although many of us are born in this country, we are tauiwi, we are visitors to this country as well. Our Tangata Whenua here we are connected to through our own relationships, but Aotearoa is not our land, our land is elsewhere. That we are connected by our oceans, it is important for us to recognise the ways in which our identities are tied to our lands as well.

When we're looking at, I guess, the ways in which psychology can resonate with the Pacific stories of our identities, identity for Pacific peoples which psychology would classify us as a collective culture in comparison to an individualistic culture, our self concepts could be understood as interdependent. So our identities are formed based on our relationships or memberships within different groups.

It is common for many Pacific peoples when they introduce their selves, you might meet someone and you say "Tell me a bit about yourself." They will say something like -- I'll use myself as an example, which I did at the beginning, I am Cook Island, my father is from Nikao, he's from Manihiki. What I'm doing is signifying that I'm connected, you know, my family links are important, my place where I am located is important. These groups in which

I belong to are important. So my identity is dependent on my relationships with other people.

That would be a psychological perspective that would resonate with us as Pacific peoples. But in addition to that, taking, I guess, a more Pacific perspective within that, vā is a way in which we can understand our identities as well. So my identity is understood through the relationships or the vā that I have with others. So this would be meaning that ourself, ourselves are relational, or what we can call the relational self. So our identities are formed based on these relationships that we have. In psychology it is understood as an interdependent self-concept. In Pacific it is the vā, it is the relationships that bind us together and that form our identities. So that means that I guess in one way the self is a Eurocentric concept because the self and Pacific is intricately tied to do so many other people.

My own research that I have done in this area, a little bit more about my specific expertise; I am a quantitative researcher, though I do draw extensively on Pacific knowledges, which does put me in that unique position of doing culturally-informed quantitative research. My PhD and masters focused on psychometrics. Psychometrics is -- I'm trying to explain this in a way that is --

Q. Please explain.

A. I feel like I'm giving a lecture. If I wanted to measure weight I would get out my scales and I would measure your weight. If I wanted to measure the distance between us, I would get out my ruler and I would measure that. If I wanted to measure your identity, I can't take out your brain and measure it that way, I potentially could, but the information I might get from that isn't really what we're looking for. Psychometrics is a statistical method that we can use to get an indication of what identity is.

Part of that is what I would call a latent construct. So it is recognising that there is something there that I can't directly measure. But what I can do is I can look at how you respond to things that are related to this thing that I'm trying to measure. So this is where we see things like identity scales or if you've ever done a survey where there's a 1 to 7 strongly agree, strongly disagree, these kinds of things.

What I do in psychometrics and what I have done is developed a measure of Pacific identity and well-being. So it asks people questions that are related to their identities, and looks at patterns within those responses as well. That is something called Exploratory Factor Analysis followed up by something called Confirmatory Factor Analysis. So it is looking at the patterns in ways in which people respond to these

particular items.

The patterns that I noted in the surveys that I conducted with people were very much reflective of the themes that we see in Pacific literature around what Pacific identities encompass. This includes our sense of belonging to our ethnic groups, to our communities. It includes the positive attitudes that we have towards our ethnic groups as well, which I have called in my own studies Group Membership Evaluation.

It also -- my studies also capture something that I have called Religious Centrality and Embeddedness which looks at the extent to which religion is intertwined with our Pacific cultures. I have also noted something called -- which I have termed "cultural efficacy", which looks at the extent to which someone feels that they are able to participate comfortably within a Pacific cultural context.

In addition to that is domains around well-being which in my research has focused on family well-being and also societal well-being as well. So our Pacific identities are constructed of many of these different things, of the ways in which we see ourselves belonging to groups, the positive attitudes that we have towards those groups, the extent to which we feel that we can participate within those groups, the extent to which we feel that our religions and our faith is intertwined with these groups, and the ways in which we feel supported and are satisfied with our families and the societies that we live in.

Q. Can you explain, religion is such a big thing for Pacific people, can you explain what role religion plays just a little bit more?

A. We would need to go a little bit further back into history before the missionaries came through the Pacific and introduced Christianity. So before then we had, and we still do today, we had a cosmology of beliefs, our atua, our gods of the sea, the skies. And they exist, they existed for many, many, many years and then as missionaries came through and they introduced Christianity to the Pacific and this was readily adopted, not readily adopted, over time it was adopted and incorporated into Pacific nations within the Pacific. So what we saw was a fundamental shift, I would say, in Pacific cultures then where the values within a Christian religious framework were different to those to the values embedded within a Pacific cultural framework back in those days. And so we started to see a shift there. One example may be the ways in which views on gender changed, where gender pre-Christianity may have been more fluid, understood differently with fa'afafine, akava'ine. Gender was different. The introduction of Christianity saw a shift in the understanding of gender roles in the Pacific. So this is ways in which Christianity has had an influence and shaped who we are today.

And today, I would argue and would suggest many would argue as well, that our religions have become so intertwined with Pacific cultures that we can't separate them anymore, even the social structures that we have can revolve around religiosity, which I want to clarify is different from spirituality as well. So spirituality is looking at how we are connected to things that transcend who we are as people, and religiosity or religion would be the social structures in which that spirituality can be performed. Both have influenced our Pacific cultures.

In New Zealand, especially during the Dawn Raids, our churches -- sorry, I'll go back a little bit. In New Zealand, especially with the first migrants coming to New Zealand, our churches were pivotal, absolutely pivotal. They provided that village away from home where you could be connected with people who you knew, who you understood, and who understood you as well.

And so the social role that religion and churches play in Pacific lives is absolutely vital and critical for us. And is also reflecting the ways in which we can't separate them anymore, they are so enmeshed together. In saying that, there is a growing proportion of Pacific peoples, when we see in the census, who do not declare any religious affiliation as well. So not all Pacific people are religious. Again, just highlighting there the diversity within our Pacific cultures here today. But religion still is impacting on people regardless of their religious affiliations or not.

Q. We've heard from survivors who have shared about how their cultural identity has been stripped because, you know, they can't speak their own language. Can you explain what role does language play here?

A. Yes. I mentioned earlier that ethnic behaviours was a bit of a contentious area in understanding ethnic identity. And language is one of those perfect examples of that. I myself do not speak Māori, Cook Island Māori, but I identify as Cook Island. If we were to flip that a little bit. If I could speak French, that doesn't mean that I would necessarily identify as French. So what this is showing is that yes, language is very intricately tied to our identities, and quite often we can view language as identity. And this is a controversial issue within Pacific research spaces as well. When we -- I have heard people say that, I will use Samoans as an example, that you can't be Samoan if you can't speak the language. And I understand that sentiment. There is knowledge located within languages that can't be translated into English. There is an essence that belongs to them. And it is why we are taking great care to protect our languages.

But that doesn't mean that those who are, for whatever reason, are unable to speak their language,

are unable to identify with their ethnic groups either. Part of why that is so important to recognise is that language is something that belongs to us but it is also something that can be taken from us. We saw here in Aotearoa through colonisation where Māori were forced not to speak their language in schools. We also see that various ways in Pacific, in the Pacific nations as well, where there is growing prominence of English speaking too.

I believe in New Zealand 95% of Cook Island people who are born in New Zealand are unable to speak their language. And compare that to Samoans, I believe it is about 60% of New Zealand-born Samoans can speak their language. So we need to be mindful of the nuances that we see across the Pacific and the relationship between languages and identity as well.

But language is an important marker of identity, but it is not all that makes up our identity as well. I say this with a bit of caution. I don't want to give the impression that our languages are not important. They are absolutely vital for us and they are vital for our continuation of our cultures and of our histories, because we are an oral culture, our stories and our knowledges are passed through our oratory. So we must protect those languages.

We must also be mindful that our relationships, or our personal relationships with our languages are not uniform either. That people, through no fault of their own, have been disconnected from their languages, and that there are critical periods throughout your development that are easier to learn a language; usually during adolescence and perhaps into your kind of later teen years. There is a, I guess what I would call a critical period for language acquisition, where you have that time and space to learn your languages.

This does depend on your surroundings though. If you are in an environment where the languages are not spoken, you're not going to pick it up and it's not going to be very easy to pick it up. In New Zealand, the primary language of instruction is English. For many of our Pacific peoples we have to be able to speak English. But all of New Zealand does not have to speak Cook Island Māori. So there is a bit of imbalance there, I guess, in terms of the values in which our society can place on different languages.

But again, it is important to note that it is not just languages that make up our ethnic identities, there is our sense of belonging and connection to that. Which is why in my research that I did I initially had the same ideas of language being a marker of identity. The methods that I use in terms of developing items to reflect identity and language were very difficult to kind of get out within the statistical methods I was using. And that was because a lot of people who were unable to speak the language strongly identified with their ethnic group. So it became a bit of a problem in what I was trying to do.

So what I did instead was lend from literature and research on self-efficacy. So self-efficacy, meaning the beliefs that one has to be able to do something. And so I drew on that concept and developed this area of cultural efficacy. So this meant that I'm not, I guess, taking kind of tick box approach to what it means to be a Pacific person that you have to be able to speak Cook Island, that you have to be able going to church; it is looking at the dimensions that we can connect to and how we vary along those dimensions. And cultural efficacy in that respect meant looking -- rather than saying you must speak a particular language to be Pacific, it's asking people how comfortable do you feel within a Pacific cultural setting. So that may mean perhaps if I don't speak the language I can still feel comfortable within that context so I can kind of score myself quite highly on that.

Q. Just reflecting on language acquisition, we heard this morning from Ms TU, a Samoan survivor who shared about being adopted into a Palagi family. There was that real sense of disconnection and in her words discomfort. Something that you've raised in our previous talanoa is a phrase called "ethnic labelling". Can you explain what ethnic labelling is?

A. Yes. Again, I will connect to the evidence provided by expert witness Dr Seini Taufa who spoke about the ethnicity data, and I guess we can think of ethnic labelling as that tick box exercise of which ethnic groups do you belong to. These are the markers of ethnicity, which is -- I want to clarify, is something separate from ethnic identity. Ethnicity is -- can be understood as the -- a social construct that reflects the geographic and cultural heritage of a particular people. Ethnic identity is your sense and sense of meaning and sense of attachment to that. Our baby that was crying earlier, I could give that baby an ethnic label as a parent. But that does not necessarily mean that as that baby gets older that that baby is going to identify with that identity that I have given them, or with that ethnicity I have given them, in the same way that we might see ethnic identity.

So this is what I would call an ascribed identity, so it is an ethnic label that we give to others. So this is also recognising that identity is interplay between yourself and other people. So it does -- and ethnic identity context, it does start with us giving ethnic labels to our children. What we can often see is for -- and also for many Pacific peoples, is when there are those with multiple ethnic backgrounds -- myself, for example, I am both Cook Island and European. On a survey or whatever, I would have to tick two boxes, Cook Island and European. But it is -- that is my ethnicity. My identity is something different. My identity is how I feel and how I am connected to those boxes that I have ticked. I guess the labels force me to identify in a particular way. But my identity allows me to do so in a way that is more fluid and reflective of how I feel. So we must be careful that we don't conflate these

ethnic labels with your own personal sense of ethnic identity there.

Q. You've just mentioned that identity is fluid and I understand there is a concept called "identity fluidity", which you have touched on before. Can you expand on what identity fluidity actually means and the way that this relates to ethnic identity development?

A. Yes. So our -- if we looked at the ethnic identity development process, or journey, it is not something that is consistent over time, it fluctuates as we try to navigate what that means for us. Even if you have a secure understanding of your own identity and what that means, these identities are multi-faceted. I will use our Pacific peoples as an example of that. When we first came to New Zealand we were perhaps identifying ourselves in terms of the villages that we belong to or the churches that we belong to. We weren't identifying ourselves as Cook Island or Samoan. But once we came to New Zealand, we were labelled Pacific Islanders. So that was something that was given to us. And it is also something that we have adopted in some sense, either through necessity or through the ways in which our socialisation and experiences in this country have forced us to as well.

Those initial migrants that came to New Zealand were labelled as Pacific Islanders despite that they were perhaps not viewing themselves in that way. But they were all sharing a common experience of trying to acculturate to New Zealand society. They had children, their children were born into a context where their experiences were going to be very, very similar to them.

Through very good intentions, many Pacific parents encouraged English speaking for their children as what they saw as a way to survive New Zealand society. New Zealand viewed us as a single community of Pacific Islanders, despite us knowing very well that we have different histories, languages that make up this diverse group of who we are.

And so our subsequent generations were born into this context where they had more in common with each other than what they had in common with the generations that came before them. And so they were developing this broader identity, Pacific identity which spoke to the common experiences that they were having. At the same time they knew that they are Niuean, or that you are also Cook Island, or that you are Samoan. So what we are seeing here is a multi-layered ethnic identity, where sometimes you are Cook Island, sometimes you are Pacific, it really depends on where you are.

Today I am Cook Island, at the University of Auckland I am Pacific. Why? Because there is not many of us in my faculty. So there is strength in our numbers. And the way in which we can connect more easier is by recognising that we are Pacific. So we have a stronger voice. We can access more resources as a wider collective rather than a constellation of smaller

collectives. So that stronger relationship between who we all are does serve a good purpose for us. It does come at the expense of losing sometimes that specific nuance that gives us that uniqueness of what makes each of us special in our own ways.

So identity fluidity can refer to the ways in which our identity changes depending on the context in which we are in. Some aspects of our identity will be more salient in some spaces than they are in other spaces. Likewise, because identity develops over time, there may be instances where your understanding of your ethnicity and your ethnic identity can change over time. Even if I was to go back to the psychological perspectives, and achieved identity does not necessarily mean that one can experience confusion about what their ethnic identity means to them either.

So there is a constant back and forth. Identity, as I said earlier, is a journey and journeys have bumps in the road and they wind, they go up and down. And they don't have that destination either. So that is one way in which we can see that fluidity. But we can see that fluidity on paper as well. When we're looking at data, we can get the impression that identity or perhaps ethnicity is a stable construct.

But what we have seen, and what has been evidenced by many of the survivors here, is that people can be mislabelled. So we are -- if we were to follow that one individual across time, at the various points at which they have -- their data has been entered into our systems, someone has been Māori, suddenly they're Samoan, suddenly they're Rarotongan. Parents, when they label their children, especially if the parents are of different ethnic backgrounds, the way in which they label their children can differ as well. Mum might define her child as Samoan, but dad might define his child as Tongan. The child is both Samoan and Tongan. But depending on who -- I guess maybe depending on what mood dad is in today, he might just tick the Tongan box or something like that.

As that child gets older and they grow in their understanding of what their ethnicity means to them, the way they tick that box can change as well. They might tick Tongan and Samoan, or they might just tick Tongan. It depends on what their experiences were like growing up. As we saw with many of our survivors, some were disconnected from their families and perhaps did not have that sense of connection and belonging to that ethnic label that they may have to tick.

So in that instance, what we're seeing there is fluidity again on discrete data. So there's multiple ways in which our identities can be fluid in both our understanding, but also in the official statistics that we have about who we are as well.

Q. Now, we're still continuing our journey, we've still got our Pacific hat on. I'm going to talk

to you about well-being, ask you about well-being and what that means from a Pacific perspective in psychology.

A. Yes, so when I was talking about identity earlier, I mentioned religion, senses of belonging and things like that. This is same -- the same ways in which we can conceptualise Pacific well-being as well. I have a slide that I would like to share that highlights Pacific models of health. So these models can illustrate the broader, holistic conceptualisations that people, that Pacific people or Pacific health theorists have about how we can understand what health and well-being can look like and can be understood from a Pacific perspective.

On the left-hand side is Fonofale. Fonofale was developed by Fuimaono Carl Pulotu-Endemann. He uses a fale as a way to articulate different dimensions of Pacific people's lives. The foundation of the fale represents family, the roof represents culture, and on this image there are four posts. Each post represents something as well. So one post represents physical health, one represents spirituality, one represents mental health, and the last post it says other, but that represents things like gender, education, employment, income and things like that. Surrounding that fale is a cocoon that represents environment, time and context.

That fale, the way that it represents health and well-being is that the architecture of the fale needs to be in balance. If the foundation of the fale is weak, the rest of the fale can collapse, or the structure will be compromised. This means that to understand Pacific health means we need to understand the importance that families have, that if a family is experiencing hardship in any way, shape or form, that this can impact on their physical health, this can impact on their spirituality, this can impact on their mental health, this can impact on the ways in which they can express their cultures. So it is a representation of the holistic ways in which health is understood within a Pacific world view.

The one on the far right-hand side is Te Vaka Atafaga. It is a Tokelauan model of health developed by Kupa Kupa, who I believe he is in the nursing industry. He uses a vāka as a way to understand Tokelau models of health. Similar to the ways in which Fonofale represents a Samoan perspective, I guess. Kupa here -- one thing that I want to point out is something called ‘inati, this is a Tokelau concept of social support. I'm not Tokelauan so I hope I do my explanation justice here. In Tokelau, ‘inati is a cultural way of providing support for others. For instance, the example that is given in the publication of this framework, he talks about a mother who has lost her husband, her husband has died, and so the rest of the village will provide for her and the children as well. That culturally embedded way of supporting her is called ‘inati. And it is something that is part of their cultural practices, it is not something that is questioned, it is just what is done.

In the middle there is Fonua, a Tongan model of health developed by Sione Tu'itahi within the Health Promotion Agency, and each of those circles represents a different domain, very similar to Fonofale and Te Vaka Atafaga. In the middle you have your spirituality and as you go outwards there's mental health, physical health, your community and the environment and the different levels in which these need to be understood as well, at the individual level, the family, local, national and global levels.

I highlight these three models of health here so we can appreciate the differences that exist within them. Fonofale is Samoan, it's slightly different to Te Vaka Atafaga which has its own unique Tokelau concepts within it, which is different to Fonua which has its own Tongan phrasings to describe what is going on there. But there is commonalities across them. There is the family, spirituality, the physical body, the communities that we belong to as well.

I will note that with Te Vaka Atafaga, family is represented by the lashings that tie the different components of the vaka together. Like we see up here on our fale, the lashings that keep the wooden structures together, Kupa articulates those lashings as family, as tying everything together.

MS VA'AI: Madam Chair, I'm wondering whether this is a good place to take a break.

CHAIR: Yes, I think so. We've got a lot to think about, so I think we all need to take a break, and have a think about it and we'll come back to finish your evidence in the second half of the afternoon. Thank you.

A. Thank you.

Adjournment from 3.29 pm to 3.50 pm

CHAIR: Welcome back everybody. And welcome back to you Dr Manuela. Thank you Ms Va'ai.

MS VA'AI: Thank you. Dr Manuela, so just summarising what you've said so far in your evidence, right at the beginning you discussed psychological perspectives which is a Eurocentric, Palagi way of viewing cultural identity and well-being. Now we have our Pacific hat on, our ei katu and you've taken us through Pacific perspectives of cultural identity, in particular Pacific models.

A. Yes.

Q. So if we could just bring that slide up please Hene.

A. Yes, so to finish with this part here, these three models are just a few of a wider array of Pacific models of health and well-being that are available and that exist within our cultural landscape. My own spin on this, I guess, is again related to vā. So my interpretation of

well-being for Pacific peoples and how this can be understood through vā, again the vā is the space between us, it's that relationship between us. We can extend upon these models that exist here by understanding how well-being can be reflected through the vā that you have with each of these different dimensions of life; what is the nature and the quality of the vā within your family relationships. We can extend that to what is the vā between you and your culture as well. Though culture is not a person, nor is it an object, it is something that we have a relationship with. Likewise, our mental health can be understood as the vā, the relationship that you have with your own mental well-being; your physical health as well.

So my professional perspective of Pacific well-being, based upon my consolidation of these various models, is that vā for Pacific peoples can be understood as the totality of the quality of the relationships that we have across these various domains of life, recognising that people are -- we have relationships with people across each of those dimensions as well.

Q. Your research touches on discrimination and racism as well within this context. Can you explain how it's linked to both well-being and identity?

A. Yes.

Q. For Pacific people, sorry, Dr Manuela.

A. Yeah. Earlier I showed a diagram that had the opposing effects of identity and well-being on -- sorry, identity and discrimination on well-being. What I have done in my own research is explore how that relationship looks like. What I have found, or the research that I have done in various surveys and the subsequent analyses that I have conducted with that has shown -- I have shown that ethnic identity moderates the relationship between discrimination and well-being.

In this particular study that I did, I looked at how people who reported high levels of ethnic identity relative to low levels of ethnic identity on the identity measure that I developed. Those who experienced discrimination, people who reported higher discrimination, what I found was that they were protected from the corrosive effects of that discrimination. So the reports of their life satisfaction, their satisfaction with their physical health and their satisfaction with life were not affected directly at least by the impacts of that discrimination. That suggests to me that ethnic identity provides some kind of psychological resource that buffers you against the negative impacts of ethnic discrimination.

In addition to this, those people who reported lower ethnic identity scores, what I found was that they also reported lower satisfaction within their families, lower satisfaction with their

physical health, and lower satisfaction with their life overall.

To me what this suggests is that ethnic -- sorry, discrimination has a more harmful effect on those who are still trying to understand what their ethnic identity means for them. That does not mean that those with a secure understanding of their ethnic identity are also not impacted by that discrimination, it does mean that their identity does provide some protection against that.

Furthermore, if we are to understand conceptually what identity and well-being is for Pacific peoples, in psychology perspectives we look at identity as its own concept, we look at well-being as its own concept, and we model the relationship between the two using various statistical methods.

In a Pacific world view, identity can be understood in terms of the vā between myself and other people. Well-being can be understood in terms of the vā between myself and across these various domains in life.

Because of vā, we can't conceptualise identity and well-being as distinct concepts within a Pacific world view. Like how I mentioned earlier that religion and Pacific cultures are so intertwined, this is the same for Pacific identities and well-being. Our identity relies on the quality of the relationships with ourselves and with our other people and our well-being relies on the quality of the relationships with other people as well. Because of this, I guess we can say that identity is well-being and well-being is also identity. Or perhaps we just don't have the words in English to articulate that as we can in a Pacific way.

Q. I remember having a discussion with you in preparation for this and when I asked you, is there a Pacific word for well-being?

A. Not that I know of. There is no distinct translation into well-being, but there are ways in which our languages reflect that how our relationships are fully embedded in our ways of knowing and our ways of being. If I was to say, if I was to greet you in my language, I would say kia orana. That means I wish you good life. That to me is well-being. It is reflected in everything that we do. We don't greet you as hello, we greet you by wishing you good life.

Q. Meitaki. In your statement you provided you reflected on our Pacific survivor stories and you categorise them into different themes. I'm just going to walk you through these themes and wondering whether you could share your thoughts; firstly on family?

A. Yes. So many of the survivors talked about how they were either completely disconnected and taken away from their families and put into other places. Others talked about how their family environments were of a different ethnic and cultural background to them. Others

spoke about how their family environments were unhealthy and not a good place for them to be in.

If we think about the ways in which we look at the importance of family, for instance like Fonofale, if the family unit is not strong, then the rest of the person is going to be compromised. And families are important for us. They are something through which we draw our strength. Which can in some instances be a double-edged sword because families are so important to us, if that family is not well, the damage can be horrific, as we have seen by the survivors. But that is also, in my opinion, where we can intervene. It is also where we can heal as well.

Q. Another theme or category that you have mentioned or highlighted is culture. Can you please share your observations on that?

A. Again, many of our survivors talked about being disconnected from their cultures and their languages. If we think about how important it is for you to develop your own identity, how this is connected to other positive outcomes, your self-esteem, your well-being, not having access to your culture through no fault of your own, means that you have been cut off from that source of well-being as well. It can also be a way for you to connect with others.

As people, what we know in psychology is that one of the most harmful things to a person is isolation. And to be disconnected from something that connects you to other people in ways in which other cultures may not understand. You have been isolated through no fault of your own. We know people die in isolation and we know that those social relationships can form a protection there. Our culture is more than the way we view and understand the world, it is part of our health as well. So for many of our survivors when I reflect on their stories that they have shared, I feel their pain and their longing for wanting to be connected to that. Because it is through those connections that healing can be found and can occur, but it is through those connections as well in which you can be protected. My own research demonstrates that as well.

But I must also make note that some survivors, though on paper they have been labelled Pacific, for them their ethnicity is not a centrally defining aspect of their identity. And we must be mindful of that as well. To me this means that any Pacific-orientated approach to redress, what has happened to our survivors, must also take into account the diverse ways in which people are Pacific. There is no one size fits all for a Pacific person. The way that they orient themselves or connect to their ethnicity or their culture must be taken into consideration, even if that means that a Pacific way may not be for them.

I reflect now on the evidence provided yesterday by one of the survivors who spoke about his

experience of being present in this fale where he was contending with the fact that he discovered abruptly that he was Samoan, believing he was Māori. That he attributed a lot of the hardships and abuse that he experienced to Pacific peoples in the school that he was at. And I felt that being present in this space in some ways brought to light a lot of that trauma again that he had experienced. But he was also very careful to ensure that he did not believe that this was reflective of Pacific peoples entirely. But it is an example of how our care and approach must be nuanced to the individual needs of our survivors.

Q. Looking at identity and discrimination, what are your reflections on those two themes?

A. Again, looking at the ways in which culture and identity can provide that protection for those who have been disconnected from their families and from their culture, what we're seeing is people who have been stripped through no fault of their own of something that they deserve. The discrimination that they have experienced as well, though at times, though they spoke of the discrimination that they experienced in the places in which they had been placed into care, this discrimination happens all over the place as well. And we must be mindful of that too. Many of them spoke about, even our survivor this morning who was adopted into a European family, her physical appearance denotes who she is. Despite her perhaps only knowing her ethnic background, her ethnic identity is still developing. Her journey is still continuing. Growing up she was treated in a particular way. They viewed her as a particular way, despite her not seeing herself in that way.

So when we look at identity, I don't want to put responsibility on to an individual. Individuals are within a wider system. So people, other people and societies have their role in the harm that they have done to their survivors as well. What our country has done in terms of the Dawn Raids, very overt forms of discrimination can give permission, for lack of a better word, for other people to treat us negatively, to discriminate against us. And so we need to be sure that while we are doing our best to provide that cultural support and safety for our young people as they are growing up, that we are also pairing this with societal shifts and attitudes towards inclusion and acceptance and embracing of the diverse peoples that call this country home as well.

Q. Having listened to survivor stories throughout the week, are there any other reflections or themes that you've thought about so far?

A. Yes. One would be the intergenerational trauma that has been carried on. I was born in 1986 after the Dawn Raids. But my reality is shaped by that. This is the same for many other people as well. These events influence policies and we are all affected by those. So we must be sure that we are mindful of how this trauma is carried by all of us, but this

trauma can manifest itself in ways that are even more harmful on others. Our survivors within their families, their families are also the products of the histories within this country as well. I don't know the situations of these families, but I do know that these families were in trouble for whatever reason that may have been, and this trouble has then been passed on to the survivors who have done their best to deal with it as much as they can.

So the intergenerational trauma is another theme that I have seen. Connected to that and to also relate that back to culture and identity, it is within our families that our identities and our cultures are passed on. Our culture is passed on between generations and when that family breaks down, that intergenerational transfer of knowledge and of identity is lost.

Q. Finally, as a Pacific, as a Cook Island professional working in psychology, what is your hope for our Pacific people, our survivors in this space?

A. One is connected to another theme that I would like to talk to, and that is about resiliency. So I have noted how strong each of our survivors have been to come, share their stories as hard as it can be for them to relive that trauma that they have experienced. Resiliency is about someone's ability to adapt to a situation that is harmful to them. It is a way to survive that and then to return back to who you are, to return back to your happiness. The survivors did not talk about resiliency directly, but they have shown it indirectly.

Our Commissioners, I have noted that you have mentioned resiliency. I do have some critiques of resiliency as a thing that I hope you take into consideration as well. Part of this critique is recognising the racial dimensions of resiliency. There is an unequal distribution of power within this country. If people are to be resilient, we need to understand what that resiliency looks like and who is being asked to be resilient.

We know that Pacific people experience discrimination and other hardships in this country and we expect them to be resilient against it. Our resilience is more than that. What does Pacific resilience look like? In some instances it looks like this. It is our people coming to you to tell you their stories, the ways in which systems have failed them, systems have marginalised them, and what they have done to try to survive that.

So resilience also looks like resistance. It is resistance against these systems that fail us. It is us holding those in power to account to ensure that they are doing what they should be doing to protect. One thing with resilience, a critique that is shared by scholars in Māori research as well, is that if we are to encourage resilience, we do so at the risk of accepting these inequalities and these inequities. We do not accept them and our survivors have expressed that in many, many different ways that they do not accept this.

So yes, individually our survivors have shown great resiliency and to our survivors I thank you so

much for sharing your stories. Individual resiliency is one thing, and collective resistance is something that is going to be paired with that resiliency as well. We must ensure that what they have gone through can't be done again.

Your individual resiliency to our survivors, I hope that you can take strength from our collective in seeking your redress to what has been happened to you. I also try to share my hopes and understandings of your own identities in ways in which you have been taken from them, in ways you can't control. You belong to us and we belong to you. It is hard to not get emotional about these things. As an academic and researcher we're taught in psychology to be objective to these things. But this is our community, we can't deny that who we are are not reflected in the testimonies of our survivors. We must also be authentic in what we do. We have to be sure that we present ourselves as whole people throughout this entire process just as our survivors have presented themselves as whole people as well.

So to our survivors, again I extend to you my warmest gratitude for you and your families and thank you for everything that you have shared with us and I hope to you all that you do find ways in which you can connect with who you are, because you belong to one of the greatest legacies in this world. Perhaps you don't understand it just yet, but there are people out there who will champion you regardless of your own experiences that you have gone through.

Q. Meitaki ma'ata Dr Sam Manuela. I understand that you're happy to take questions.

A. Yes.

Q. Thank you Madam Chair.

CHAIR: Thank you Dr Manuela, I'm going to ask my colleagues if they would like to any questions.

COMMISSIONER ERUETI: Kia ora Dr Manuela, thank you so much for your enlightening statement today. Yeah, I thought -- there were so many things in there so I just don't know where to start, but I'll just focus on our terms of reference, let's think about that. I thought it was really interesting in thinking about the nature and effects of abuse and neglect, discriminatory statements on someone whose identity wasn't fully formed or robust in terms of ethnicity and the negative impact that those statements would have on that not fully formed ethnic identity. It's really useful for us to understand, to think about the nature, the full extent, nature of discriminatory statements for example. And I wondered -- and also the flip-side of that about healthy, robust identity would mean that you are more resistant to those attacks, right, I wanted to hear that and you said that, that's great, it's great to know that.

I wonder too whether -- I'm not sure whether you were talking in your statement about the stigmatisation of identities too, and how that can be internalised by the identity, you know, by the person so that if you're called lazy, you know, so forth, then you actually -- it starts to form part of your identity. Would you agree with that that these are some of the effects?

A. They're not uniform effects. We can see that sometimes. I have shown in some research that I have done that there can be societal attitudes that can be shared by Pacific peoples who may also hold negative views or hold negative stereotypes against Pacific peoples as well. Where the source of those attitudes come from, I don't know, but there definitely is people who are Pacific peoples who would hold attitudes that would be similar to kind of more dominant discriminatory attitudes as well.

Q. Yeah, I think that makes sense, if you're told something over and over again by the dominant cast or what have you, then there's a risk that it is internalised and it then becomes part of your identity, right?

A. Yes.

Q. So that's another way of looking at the harm of discrimination on survivors, yeah?

A. I think to that point as well, the way that it can -- that can manifest itself can be important to consider. So it could be things like trying to push children into a certain profession or trying to persuade them to -- "Why do you want to study this, you should be doing something else." And so it can be a recognition that our people don't do a particular profession. And so --

Q. Yes, yeah, the Māoris will do the trade and so forth.

A. Yeah.

Q. Yeah, exactly, yeah. And I did -- I think it's a really -- now moving to healing if you like, I think it's a really important insight that you had about how on identity, to be nuanced about it. Because if we look at it, say, at one end of the spectrum you've got a more sort of fully formed sense of identity kind of closed, if you like, and at the other a more cosmopolitan identity, see it as a spectrum, do you know what I'm talking about?

A. Yeah, I would say that identity is -- has multiple dimensions, and that we can vary along each of those dimensions. And so a more psychological perspective might have a more kind of concrete idea of perhaps like a more global identity perspective of ethnic identity, but within Pacific peoples what we're looking at is these specific dimensions which relate to identity as well. And to what extent do people connect to each of those dimensions too. So that could mean that you could be highly identifying as a Pacific person, but not

religious. And so what we can do there is look at the extent to which the dimension along religiosity is important to yourself concept as a Pacific person.

Q. I appreciate, because you talk about our multiple affiliations and identities, yet it seems to me that when it comes to -- you seem to be saying that ordinarily for Pasifika peoples or Māori, what have you, that would most likely prioritise their ethnic identity over the other parts, the other affiliations they might have?

A. It depends on the context that we're in as well. So usually for ethnic minorities, because the ethnicity is much more salient and prominent, that tends to be something that becomes their defining feature in society. So it tends to be something that they would tend to identify more strongly, because that is the way that they're treated more often.

Q. Yes, I think so. And particularly if you're subject to discrimination, that that part of your identity would be more prominent than perhaps your religious or your class affiliations or your gender or so forth?

A. Yes, yes, but they're each important as well, because within our ethnic understandings, there's those own nuanced understandings of things like gender and religiosity as well.

Q. To give you an example, when they had the US primaries for the US election several years back and Obama was running with Hillary Clinton, my wife, who's also Māori, was torn between whether she should support Obama or Hillary Clinton because it was race and gender, and I was obviously for Obama, and then eventually I think she moved back towards Obama again, but that -- because of the work that we do, the field that we do, we strongly self-identify as being Māori obviously, so it's a very strong part of our identity, but it shows just that even then --

A. Yes.

Q. -- there's complexities.

A. Yeah.

Q. Great, thank you so much for your evidence, really enjoyed it.

A. Thank you.

COMMISSIONER STEENSON: Tēnā koe Dr Manuela.

A. Tēnā koe.

Q. Thank you for your expertise today. It's really made sure that we've focused on a Friday afternoon, that's for sure. My question is, can you help unpack a little bit when you talked about the theory that one is born without a cultural identity and learns it, which for me is a difficult concept because of the idea of whakapapa and being born with that. And I think we heard from a survivor this morning who spoke to that, even though not being brought up

in an environment where she learned about her culture, she naturally had this draw towards it. And I understand that with other survivors being disassociated with their culture due to a traumatic event subsequent to birth. So I kind of need to get you to unpack that theory a little for me please.

A. Yes. So when we are born, what I was referring to specifically there is an ascribed identity. So the ethnicity which people will give to a child on any kind of official document or anything.

Q. That isn't necessarily their blood?

A. It could be.

Q. Could be, okay.

A. Yeah. Also recognising in terms of, I guess, just thinking about cognitive development as well, as a baby, babies, I don't even know what babies think, but they're definitely not thinking in terms of identity or culture as well. And when I say we aren't born with an identity, perhaps a better thing to say would be we are born into a culture that we learn over time, absolutely recognising that who we are is connected through our whakapapa as well. But the understanding that comes with that is something that develops over time of what that means to them.

Q. Thank you. The other question I had was around you talked about ethnic labelling being different from cultural identity, which was very useful. So does it follow then that ethnic labelling has an impact on someone's cultural identity?

A. Yes, absolutely, yeah. The labels that we use are things that we can identify with, and the language that we have to articulate a particular identity that we have as well.

Q. Because I think we've seen lots of evidence of that from being wrongly labelled.

A. Yes, absolutely, yeah. And I guess what we risk with conflating ethnicity and identity is that if we look at the statistics and we see ethnic disparities in, say, health outcomes, if we're conflating ethnicity and identity, we could be representing those disparities in terms of a deficit that belongs as part of the cultural understandings or part of the culture of a particular group. Which is definitely not the case but it is something that can be implied if we attribute, it's something called the cultural attribution fallacy where we attribute ethnic differences that we see between groups as being explained by their cultural practices without any evidence that it is cultural practices that have led to these differences that we see.

Q. Thank you. Excellent. I also really enjoyed your kōrero around resistance not to accept what is wrong as an important representation of resilience, not just getting through a

traumatic event and stabilising one self. I think that was really insightful. Thank you very much. Tēnā koe.

A. Thank you.

COMMISSIONER ALOFIVAE: Kia orana katoatoa Dr Manuela.

A. Kia orana.

Q. Meitaki ma'ata for your talanoa this afternoon. Really rich insights that we're able to take away and soak up. Thank you for explaining so well the intricacies and how imbued culture, passion, faith are so interlinked, it's very hard to see one from the other. You explained how we can do -- you can measure individuals, right, in terms of well-being, but one of the things that we hear constantly, and it doesn't have to just be here in our space, but it's pertaining here to our space in this fale now, is collective; it's the collective well-being of the aiga, the kāinga, the magafaoa. Is it possible to actually measure that in such a way that we're able to then influence systems? Because Pasifika are always forced together with Māori into little boxes and we can't always see the flow of the narrative. Are you able to comment on that or...

A. There are measures of collective well-being that exist. I don't know a lot about them, I do know that they do exist. In terms of collective well-being, we would need to consider what are the indicators that we are going to use to reflect that, and do those indicators accurately reflect Pacific well-being. Quite often what we can and do see is things like those objective indicators, like housing, access to education, these are important aspects for collective well-being as well. How, if we look at home ownership rates amongst Pacific peoples we know that it is quite low, at the same time that rents are very, very high. So what does the living situation look like for multiple Pacific families, and are we -- how are we using that living arrangement as an indicator for something like economic well-being. You know, those are just the kind of collective objective indicators that we have that we know are related to health outcomes and education outcomes and things like that.

Other aspects of collective well-being do speak to a lot of our cultural aspects as well. To what extent are Pacific people able to practise their languages, to what extent have -- recognising then as well, you know, how endangered is a language. This is one way that we can assess or try to assess and understand collective well-being by looking at language use but being careful not to alienate people who are trying to learn the languages as well or recognising that there are multiple ways in which you can connect to your culture as well.

And we can -- even though they are individual measures, I'm involved in a number of studies that do survey populations, I work with populations. Some longitudinal studies as well, so we

can track individuals over time but also track groups over time as well. The importance of these big datasets is vital, because they do provide information about groups, the more data that we have, the more intricate we can model the specific relationships that affect, that are affected by the nuance that exist within groups as well. So it's important that we do multiple levels, individual, community, national approaches to collective well-being as well. Noting that, I guess, taking a more theoretical and conceptual approach, that our well-being is inherently relational. And so it is something that is going to be inherently collective as well.

How to measure that, I'm not sure. I do know that there is a paper by Fiona Cram, she is a Māori researcher, she's published a paper providing suggestions on how can measure Māori well-being, which I think would be quite useful to read. I can't remember it off the top of my head.

Q. That's fine, we'll find it. Just one more question please, Dr Manuela, and it really relates -- a big issue that we've been tasked with and which you've heard about perhaps this week is the concept of redress, how do you right the wrong. And you've been very generous in your talanoa this afternoon about making sure we understand the nuances and don't just lump everyone together under a pan-Pacific label. This really comes to -- it's a policy question perhaps, you know, around is it enough to just say in a document, in a report, in any other way that might be culturally appropriate, or do you think that that is wide enough to be able to afford a survivor a Pacific survivor who might be looking at it and say oh I can apply a Tongan framework to that, I can apply a Cook Island framework to that?

A. I think there are ways. And I've seen documents before that have drawn upon multiple perspectives and infused them all into various ways, into the way that they do their methodologies of something, or say things around family violence prevention and intervention programmes that have drawn on a kind of broader framework, but also make reference to specific cultural frameworks within there as well. So I think there definitely is space. How that looks like I'm not entirely sure, but I think -- one important thing for me, I guess, and I'll use the Dawn Raids again, I think next Sunday is the Dawn Raid apology by the Government. Apologies are meaningless without actions, really. And so what does redress look like, I think, is the main thing to -- not the main thing, but a thing to ensure that the policies don't just exist on paper but they are fully enacted, yeah.

Q. Much appreciated, fa'afetai, fa'afetai, fa'afetai lava.

A. Meitaki.

CHAIR: I'm the lucky last. Really most of the things I wanted to say have been covered, but

I just wanted to make it clear that we deeply appreciate the fact that you've brought your scholarship and your expertise and for me personally what you have done is provided frameworks, ways of thinking to help us properly understand what our survivors have been telling us. They have framed it from their own personal deeply held and deeply moving experiences, and we don't lose sight of those, but to have them brought up and -- I don't want to say codified but I'm going to say it. I hope you don't think I'm disparaging them, but just to give us a -- I think the word framework is probably better, really helps us to understand it, because we have to turn those accounts into recommendations of the sort that my colleague here has just talked about. Do you say "and any other appropriate way", or can we be more specific, more helpful.

In that regard I just wanted to thank you for two very important revelations, or important thoughts that you've given us, which we will take away and may even call on you again in future. The first relates to the implications for care of children, vulnerable adults in the future, and that's Pacific people. That is your reference to the vā that exists between family members, because what's happening when children and others are taken out of their own family environment, as you've pointed out in paragraph 65, the vā that exists between family members doesn't have the same meaning as the vā between a person and unfamiliar others. And I think that for me has been a very important idea that you've really put your finger on something, what goes wrong when you take a child from a home, when you take a disabled person from their home and place them in an institution. You're losing the familiar, you're losing the relationship. So in terms of our recommendations for care for Pacific people I think we must bear that in mind, it's very valuable.

The second thing relates to the redress. I think your emphasis again on the vā, the merging of well-being and, what was the other bit, well-being and --

A. Identity.

Q. -- and identity. Very important for people who will be giving the redress in future, that that is recognised, acknowledged, stated so that it can be well advanced. So those in those two really important areas, care and redress, you've given us really valuable insights for which I thank you. And don't be surprised if he come knocking at your door again in the future because I think we've got a lot more to learn from you.

So on that note, many thanks for the scholarship and work you've done to put into this paper which I think we should all read again very carefully and thank you for coming today.

A. Meitaki, thank you.

COMMISSIONER ERUETI: Great to see you on a mission to decolonise the science of psychology bro.

A. It's a long mission.

Q. Go hard.

CHAIR: On that note our first week of hearings is drawn to an end. We will start again on Monday, I believe at 10 o'clock, am I right on that? Yes, so if you're interested please return. Thank you to all of those who have come. I know not all of you have been here all through the week, but one in particular I see has been Halo, thank you, he's always here. With the turn-out of the Pacific communities to support and listen has been very moving for us and we're greatly appreciative of it. And I think it's time that we closed and that we get -- is Reverend Aptinko still here? Here he is, so please we invite you again Reverend to close off our proceedings for the week.

REVEREND APTINKO: I want to close with the Gospel of John chapter 10 verse 10. "Thieves come only to steal, kill and destroy. I have come that they may have life and heaven in full." As Christian faith leaders and Pacific community leaders we are called to champion what Christ has started; supporting, caring and providing for our people who live a life in full. And as I said in the morning, compassion is not about saying it and thinking, but it's about moving us to respond and giving, as Christ was moved and filled with compassion when he saw people who were like lost sheep without a shepherd. So he responded by healing and feeding the multitude according to the gospels.

Care institutes need to care with compassion to do that our Pacific community is in need of a system composed by those who has the wisdom of God and are driven by compassion. I relate the Pacific investigators and the working team to the good shepherd. That you are now on the ground level, level with those who are suffering, connecting and giving to those who are suffering to have a good life restored. Let us pray. **[Prayer in Rotuman]**

CHAIR: Thank you Reverend.

Hearing adjourned at 4.49 pm to Monday, 26 July 2021 at 10 am